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REGULATIONS

FOR

THE ARMY OF THE UNITED STATES

1910

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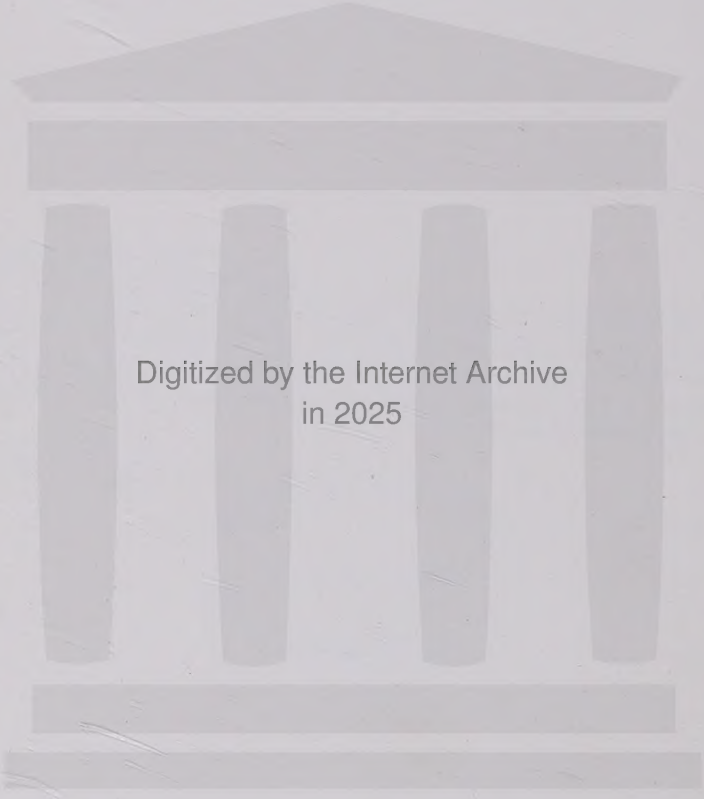
WAR DEPARTMENT,
Washington, December 31, 1910.

The PRESIDENT OF THE UNITED STATES directs that the following *Regulations for the Army* be published for the government of all concerned, and that they be strictly observed. Nothing contrary to the tenor of these Regulations will be enjoined in any part of the forces of the United States by any commander whomsoever.

J. M. DICKINSON,
Secretary of War.



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REGULATIONS

FOR THE

ARMY OF THE UNITED STATES.

ARTICLE I.

MILITARY DISCIPLINE.

1. All persons in the military service are required to obey strictly and to execute promptly the lawful orders of their superiors.

2. Military authority will be exercised with firmness, kindness, and justice. Punishments must conform to law and follow offenses as promptly as circumstances will permit.

3. Superiors are forbidden to injure those under their authority by tyrannical or capricious conduct or by abusive language.

4. Courtesy among military men is indispensable to discipline; respect to superiors will not be confined to obedience on duty, but will be extended on all occasions.

5. Deliberations or discussions among military men conveying praise or censure, or any mark of approbation, toward others in the military service, and all publications relating to private or personal transactions between officers, are prohibited. Efforts to influence legislation affecting the Army, or to procure personal favor or consideration, should never be made except through regular military channels; the adoption of any other method by any officer or enlisted man will be noted in the military record of those concerned.

ARTICLE II.

PRECEDENCE OF REGIMENTS AND CORPS.

6. On occasions of ceremony, except funerals and reviews of large forces, troops will be arranged from right to left in line, and from head to rear in column, in the following order: First, infantry; second, field artillery; third, cavalry. Artillery, engineer, and signal corps troops, equipped as infantry, are posted as infantry; dismounted cavalry and marines attached to the Army are on the left of the infantry in the order named; companies or detachments of the Hospital Corps and mounted detachments of engineers are assigned to places according to the nature of the ceremony; mounted companies and detachments of the Signal Corps are posted as cavalry. When cavalry and field artillery are reviewed together without other troops, the artillery is posted on the left. Troops in column in funeral escorts will be arranged from head to rear in the following order: First, cavalry; second, field artillery; third, infantry. In the same arm, regulars, militia in the service of the United States, and volunteers

are posted in line from right to left, or in column from head to rear, in the order named. In reviews of large bodies of troops the different arms and classes are posted at the discretion of the commanding general, due regard being paid to their position in camp. On all other occasions troops of all classes are posted at the discretion of the general or senior commander.

ARTICLE III.

Rank and Precedence of Officers and Noncommissioned Officers.

7. Military rank is that character or quality bestowed on military persons which marks their station, and confers eligibility to exercise command or authority in the military service within the limits prescribed by law. It is divided into degrees or grades, which mark the relative positions and powers of the different classes of persons possessing it.

8. Rank is generally held by virtue of office in an arm of the service, corps, or department, but may be conferred independently of office, as in the case of retired officers and of those holding it by brevet.

9. The following are the grades of rank of officers and noncommissioned officers:

1. Lieutenant general.
2. Major general.
3. Brigadier general.
4. Colonel.
5. Lieutenant colonel.
6. Major.
7. Captain.
8. First lieutenant.
9. Second lieutenant.
10. Veterinarian, cavalry and field artillery.
11. Cadet.
12. (*a*) Sergeant major, regimental; sergeant major, senior grade, Coast Artillery Corps; (*b*) master electrician, Coast Artillery Corps; master signal electrician; chief musician; (*c*) engineer, Coast Artillery Corps.
13. Ordnance sergeant; post commissary sergeant; post quartermaster sergeant; sergeant, first class, Hospital Corps; first-class signal sergeant; electrician sergeant, first class, Coast Artillery Corps.
14. Quartermaster sergeant and commissary sergeant, regimental; electrician sergeant, second class, Coast Artillery Corps; master gunner, Coast Artillery Corps.
15. Sergeant major, squadron and battalion; sergeant major, junior grade, Coast Artillery Corps; color sergeant; battalion quartermaster sergeant, engineers and field artillery.
16. (*a*) First sergeant; drum major; (*b*) principal musician; chief trumpeter.
17. Sergeant; quartermaster sergeant, company; stable sergeant.
18. (*a*) Corporal; (*b*) fireman, Coast Artillery Corps.

In each grade and subgrade, date of commission, appointment, or warrant determines the order of precedence.

10. Officers of the same grade of the Regular Army, of the organized militia in the service of the United States, and of volunteers take precedence in the order named. Officers of the Marine Corps, when detached for service with the Army by order of the President and while serving with the Army under that

order, are upon equal footing with officers of the Regular Army and take precedence in each grade by date of commission.

11. Between officers of the same grade and date of appointment or commission, other than through promotion by seniority, relative rank is determined by length of service, continuous or otherwise, as a commissioned officer of the United States, either in the Regular Army or, since April 19, 1861, in the volunteer forces. When periods of service are equal, precedence will, except when fixed by order of merit on examination, be determined, first, by rank in service when appointed; second, by former rank in the Army or Marine Corps; third, by lot.

12. The relative rank between officers of the Army and Navy is as follows, lineal rank only being considered:

General with admiral.
Lieutenant general with vice admiral.
Major general with rear admiral.
Brigadier general with commodore.[1]
Colonel with captain.
Lieutenant colonel with commander.
Major with lieutenant commander.
Captain with lieutenant.
First lieutenant with lieutenant (junior grade).
Second lieutenant with ensign.

ARTICLE IV.

COMMAND.

13. Command is exercised by virtue of office and the special assignment of officers holding military rank who are eligible by law to exercise command. Without orders from competent authority an officer can not put himself on duty by virtue of his commission alone, except as contemplated in the twenty-fourth and one hundred and twenty-second articles of war.

14. The following are the commands appropriate to each grade:

1. For a captain, a company.
2. For a major, a battalion.
3. For a colonel, a regiment.
4. For a brigadier general, a brigade.
5. For a major general, a division.

15. The designation "company," as used in these regulations, applies to troops of cavalry, batteries of field artillery, and to companies and bands of all arms and corps. The designation "battalion" applies in like manner to squadrons of cavalry.

16. The functions assigned to any officer in these regulations by title of office devolve upon the officer acting in his place, except when otherwise specified. An officer in temporary command shall not, except in urgent cases, alter or annul the standing orders of the permanent commander without authority from the next higher commander.

17. An officer who succeeds to any command or duty stands in regard to his duties in the same situation as his predecessor. The officer relieved will turn over to his successor all orders in force at the time and all the public property and funds pertaining to his command or duty.

18. An officer of engineers not on duty with engineer troops, or of ordnance, or of the Adjutant General's, Inspector General's, Judge Advocate General's, Quartermaster's, or Subsistence Department, or Signal Corps, or of the line,

[1] The grade of commodore ceased to exist as a grade of rank on the active list in the Navy of the United States on March 3, 1899. By section 7 of the act of March 3, 1899 (30 Stat. L., 1005), the nine junior rear admirals are authorized to receive the pay and allowances of brigadier generals in the Army.

detailed to fill a vacancy in these staff departments or corps, though eligible to command, according to his rank, shall not assume command of troops unless put on duty under orders which specially so direct, by authority of the President.

19. An officer of the Pay or Medical Department can not exercise command, except in his own department; but any staff officer, by virtue of his commission, may command all enlisted men like other commissioned officers.

20. When an officer is charged with directing an expedition or making a reconnaissance, without having command of the escort, the commander of the escort will consult him touching all arrangements necessary to secure the success of the operation.

ARTICLE V.

Appointment and Promotion of Commissioned Officers.

21. Notices of appointments and promotions are issued by the War Department through The Adjutant General of the Army.

22. Appointment to the grade of general officer is made by selection from the Army.

23. Oaths of office of officers of the Army will be taken before some officer who is authorized by the law of the United States or by the local municipal law to administer oaths, before the judge advocate of a department, or of a court-martial, or before the trial officer of a summary court. Officers of the Army, other than those above specified, are not authorized by law to administer such oaths.

24. Promotions in established staff corps and departments are limited to officers holding permanent appointments therein and to include the grade of colonel will be made by seniority, subject to the examinations required by law.

25. Promotions in the line of the Army to include the grade of colonel, in each arm of the service, will be made by seniority, subject to the examinations required by law.

26. Whenever any officer is ordered before an examining or retiring board the originals or copies of all official records affecting his character or efficiency, on file in any bureau of the War Department, will be furnished to The Adjutant General of the Army and by him forwarded for the consideration of the board.

27. Vacancies in the grade of second lieutenant in the cavalry, artillery, and infantry remaining on the 1st of July, each year, that are not needed for the graduates of that year of the United States Military Academy, may be filled by appointment in the following order:

1. Of enlisted men of the Army, whose fitness for advancement shall have been determined by a competitive examination.
2. From civil life.

All vacancies occurring after July 1, and not needed for the graduates of that year of the Military Academy, will be held for the next graduating class of the Academy.

28. A soldier to be eligible to compete for appointment to the grade of second lieutenant must be a citizen of the United States, unmarried, and under 30 years of age on the 1st day of July of the year in which he is to enter the competition, and must have served honorably not less than two years in the Army as an enlisted man on or before that date; he must also be physically sound, of good moral character before and after enlistment, and must be an enlisted man of the Army at the date of his application and of his examination, and, if appointed a second lieutenant, must be an enlisted man at the date of his appointment.

29. An enlisted man who desires to appear for examination will submit through military channels an application so that it will reach the department commander on or before January 1 of the year in which he desires to take the examination. An application received after that date will not be considered unless it be shown that the delay was through no fault of the applicant.

Company commanders in forwarding such applications will verify the statements of service as given, and will state specifically whether, in their opinion, the soldier fulfils each of the conditions required by paragraph 28, and will add their remarks as to the aptitude of the applicant for the position sought.

Post commanders will, upon the receipt of such applications, cause the applicants to be examined by a medical officer as to their physical qualifications, and will forward the report of such examination with the applications, adding their remarks as to the aptitude of the applicants for the position sought.

30. With a view to the selection of proper enlisted men for advancement to the grade of second lieutenant each department commander, as soon as practicable after January 15 of each year, will convene a board of five officers, two of whom shall be medical officers, for the preliminary examination of the soldiers of his command who are legally qualified therefor, with a view to determining their eligibility for the final examination. This board will institute a rigid inquiry into the character, capacity, record, and qualifications of the several candidates, and will recommend no one for the final examination who is not able to establish his fitness for promotion to the entire satisfaction of the board. Each year in which there remain vacancies in the grade of second lieutenant for appointment to which enlisted men are eligible, the War Department, on July 1 or subsequently thereto, will convene a board of five officers before which those who have successfully passed the departmental boards will appear to compete in the final examination for appointment to such vacancies.

31. The final examination is competitive and for a specified number of vacancies. The board which conducts the final examination will recommend for appointment only such number, in the order of merit established by the final examination, as will equal the number of vacancies apportioned to enlisted competitors by the Secretary of War, and no greater number will be reported as having passed. No competitor will be recommended by the board who is not physically, morally, and mentally qualified for the position of second lieutenant in the Army. Upon the approval by the War Department of the report of the board each competitor recommended in accordance with this paragraph will receive from The Adjutant General of the Army a certificate of eligibility for promotion to the grade of second lieutenant. No applicant will be ordered before the final board who has not successfully passed the departmental board for that year. If in any year no final examination be held, the preliminary examination for that year will be void. An applicant who twice fails to pass the preliminary examination in years in which final examinations are held or who twice fails in his final examination to obtain a certificate of eligibility can not again compete for appointment to the grade of second lieutenant in the Army.

32. All rights and privileges arising from a certificate of eligibility may be vacated by sentence of a court-martial, but no soldier while holding the privileges of a certificate shall be brought before a garrison or regimental court-martial or summary court.

33. Enlisted men holding certificates of eligibility who may be guilty of misconduct will be promptly reported to the War Department, through regimental and department headquarters, the report to contain a full statement of the misconduct, with names of witnesses. The department commander will see that

the candidate has a fair and impartial hearing, and will forward the report for the decision of the War Department.

34. A civilian to be eligible for appointment must be a citizen of the United States, unmarried, between 21 and 27 years of age, must be examined and approved as to habits, moral character, mental and physical ability, education, and general fitness for the service. The educational qualifications required for appointment will be announced in orders from time to time by the War Department.

35. No person shall be examined unless he has a letter from the War Department authorizing his examination.

If the candidate has been graduated at an institution where he received military instruction, he must present a diploma or a recommendation from the faculty of the institution.

If a member of the organized militia, he must present recommendations from the proper authorities thereof.

36. Every candidate will be subjected to a rigid physical examination, and if there be found to exist any cause of disqualification which might in the future impair his efficiency as an officer of the Army he will be rejected. The board will inquire and report concerning each applicant whether he is of good moral character or addicted to the use of intoxicating liquors. Examination as to physical qualifications will conform to the standard required of recruits. A certificate of physical examination by at least two medical officers will accompany the proceedings of the board.

37. No person who has been a cadet at the United States Military Academy is to be deemed under any circumstances entitled to receive a commission in advance of the graduation of his class. Under the act of Congress approved March 2, 1901, no cadet who has been expelled from the Military Academy for hazing will be commissioned until two years after the graduation of the class of which he was a member.

ARTICLE VI.

Details.

38. Regulations respecting details of line officers to the staff, together with such rules as may be prescribed by the President in regard to examinations therefor, will be announced in orders from time to time by the War Department.

39. In making details for special duty and detached service, due consideration will be given to the efficiency, zeal, and reliability of officers as evidenced by the record of their services.

40. An officer will not be detached from his corps or arm of the service unless he has served at least two of the preceding six years therewith.

When at any time an officer has served less than two of the preceding six years with his corps or arm of the service, he will be ordered to join said corps or arm of the service unless on detached service which, under the law, can not be so terminated. Exceptions to this rule will not be made except in case of emergency or in time of war.

41. Except when detailed in the General Staff Corps, general officers are authorized to have aids as follows:

The Lieutenant General, two aids and a military secretary who have the rank of lieutenant colonel while so serving; a major general, three aids to be taken from the captains or lieutenants of the Army; a brigadier general, two aids to be taken from the lieutenants of the Army. An officer assigned to duty in accordance with his brevet rank as major general or brigadier general may, with the special sanction of the War Department, be allowed the aids of the

grade. General officers may select their aids from officers serving in their command subject to the restrictions prescribed in paragraph 40, but appointments as aids of officers serving without such limits must receive the approval of the War Department.

42. The laws, regulations, and instructions governing the details of officers of the Army, active and retired, at educational institutions will be published from time to time by the War Department.

ARTICLE VII.

Chaplains.

43. Regimental chaplains and chaplains of the Coast Artillery Corps will be assigned and transferred by the Secretary of War.

44. It will be the duty of commanders of regiments, hospitals, and posts to afford to chaplains, assigned to the same for duty, such facilities as may aid them in the performance of their duties. One enlisted man will be detailed on special duty, by the commanding officer of any organization to which a chaplain is assigned for duty, for the purpose of assisting the chaplain in the performance of his official duties.

The instruction of the enlisted men in the common English branches of education is made by law one of the duties of chaplains. They will not be employed on duties other than those required of them by law or pertaining to their profession, except when the exigencies of the service, a result of deficiency in number of officers present, require it.

45. Chaplains will render, through military channels, monthly reports of the duties performed by them, and of all births, baptisms, marriages, and deaths occurring at their stations. The reports will be made on the prescribed form to The Adjutant General of the Army.

46. Chaplains will not be required to turn out with troops on occasions of ceremony, but will be inspected at chapels, schoolrooms, libraries, or such places as may be designated by commanding officers.

ARTICLE VIII.

Transfer or Exchange of Officers.

47. Officers transferred from one arm or corps to another, on mutual application, will be nominated for reappointment with rank as of the date of the commission of the junior officer previous to the transfer, and upon confirmation will be recommissioned accordingly. An officer of the lowest grade in any arm or corps who may be transferred, on his own application, to a vacancy in his grade in any other arm or corps will take rank next after the junior officer of the arm or corps to which he is transferred, and will be nominated for reappointment, with a new date of rank if necessary to fix his proper position, and upon confirmation will be recommissioned accordingly. These new appointments and commissions will determine the rank of transferred officers in their regiments and corps as well as in the Army.

48. Officers in each arm of the service will be transferred from one regiment to another therein, as the interests of the service require, by orders from the War Department, without change of rank or commission. The transfer or exchange of company officers of a regiment will be made only as the interests of the service require by the regimental commander when change of station is not involved; in cases involving change of station, by the regimental commander, with the approval of the authority competent to direct the necessary travel.

Artillery district commanders have the same authority in transferring lieutenants of the Coast Artillery Corps within their districts as is herein given to regimental commanders.

Transfers and exchanges made under this paragraph will be immediately reported to the War Department.

ARTICLE IX.

Leaves of Absence to Officers.

49. In time of peace a general officer commanding a post may grant leaves of absence for two months. Other post commanders and officers commanding general depots of supply, general hospitals, and mine planters, may grant leaves of absence for not to exceed ten days at one time or in the same calendar month.

50. The commander of a post may take leave of absence not to exceed ten days at one time or in the same month, reporting the fact to his next superior commander.

51. The commander of a tactical division or separate brigade may grant leaves for one month, the commander of a corps or department for two months, the commander of a territorial division or department not part of a division for four months; or they may extend to such periods those already granted. Applications for leaves of more than four months' duration, or from officers of the staff corps and departments for more than one month, will be forwarded for the action of the War Department. General officers stationed within the continental limits of the United States will not grant themselves leaves to pass beyond those limits, nor will general officers serving in the Philippines Division grant themselves leaves to go beyond the limits of that division. Those in command of territorial divisions or departments will not grant leaves to themselves to pass beyond the limits of their own commands without first obtaining the sanction of higher authority.

52. Chiefs of bureaus may grant leaves for one month to officers of their respective corps serving under their immediate direction, or extend to that period those already granted to such officers.

53. Leaves of absence for three months, from date of graduation, will be allowed to graduates of the Military Academy. Such leaves will not be counted against them in subsequent applications for leave, but can not be postponed to another time.

A graduate who is ordered on temporary duty at the Military Academy while on graduation leave will revert to leave status on completion of the duty and will be permitted to complete a period of three months on graduation leave exclusive of the time spent on such duty.

54. Leaves of absence will not be granted so that a company will be left without a commissioned officer, or a post without two commissioned officers and competent medical attendance; nor will leave of absence be granted to an officer during the season of active operations, except in case of urgent necessity.

55. Leave of absence exceeding ten days, except under extraordinary circumstances particularly stated in the application, will not be granted to an officer until he has joined his regiment or corps and has served therein at least two years.

56. An application for leave must state its desired duration and be forwarded through military channels. Intermediate commanders will indorse thereon their recommendations.

57. The commanding officer will refer applications for leaves of absence on account of sickness to the surgeon. The surgeon will examine the applicant,

and should he find the leave necessary to restore health he will submit to the commanding officer a medical certificate in the prescribed form, stating explicitly the nature, seat, and degree of the disease, wound, or disability, the cause thereof, if known, and the period during which the officer has suffered from it. He will also give his opinion whether the disease, wound, or disability can be satisfactorily treated within the department in which the officer is stationed, or whether a change of climate or locality is necessary to afford more rapid or perfect recovery, in which case the special place or region recommended will be designated, with reasons therefor. The surgeon will also state whether in his opinion the disease, wound, or disability requires treatment by a specialist, and, if so, the nearest place where it can be obtained; also whether the wound or disease incapacitates the officer from all duty, or whether he can perform special duty, and, if so, the kind that he may undertake without endangering his ultimate cure.

58. Leaves of absence will be granted in terms of months and days, as "one month," "one month and ten days." A leave of absence commences on the day following that on which the officer departs from his proper station. The day of departure, whatever the hour, is counted as a day of duty; the day of return as a day of absence.

Leave for one month, commencing on the first day of a calendar month, will expire with the last day of the month, whatever its number of days. Commencing on an intermediate day, the leave will expire the day preceding the same day of the next month.

The expiration of his leave, whether granted on account of sickness or not, must find an officer at his station, except as indicated in paragraphs 60 and 1316.

59. A leave of absence granted to an officer in the field or on special duty will take effect on the termination of the campaign or on the completion of such duty, unless his services can sooner be spared. In all other cases an officer is expected to avail himself of a leave as soon as proper facilities offer, unless a specific date is stated in the order, and if unable to do so he will report the fact to the authority granting the leave.

60. Leaves of absence granted, for the purpose of visiting the United States, to officers of the Army serving in Alaska or beyond the limits of the United States, will be regarded as taking effect upon the respective dates upon which such officers reach, or might have reached, the United States. Officers performing the journey in the most direct way customary will be regarded as on detached service while en route to and from the United States.

Hereafter an officer going to or returning from duty in the Philippine Islands, who desires to make the journey by a route other than the customary one and to visit foreign countries on leave of absence while en route, will be credited (in addition to the amount of time covered by the leave of absence granted to him) with a period of thirty days as on detached service to cover the average amount of time necessary to perform the journey from the Philippine Islands to the usual port of arrival in the United States, or from said port to the Philippine Islands.

61. Officers will not leave the United States to go beyond the sea without permission from the War Department.

62. An officer of the Army visiting foreign countries, whether on duty or leave, will avail himself of all proper opportunities to obtain military information, especially such as pertains to his branch of the service. He will report the results of his observations to The Adjutant General of the Army on his return to duty, or sooner if practicable.

63. The Department of State issues special passports for the use of officers of the Army traveling abroad, either on duty or leave of absence, but only on the request of the War Department, and never on the direct request of the officers themselves. Applications of officers for special passports will be addressed to The Adjutant General of the Army, will set forth the use to be made of them, and must, in all cases, be accompanied by the fee of $1, which is required by law to be collected for every citizen's passport issued.

64. An officer granted leave of absence for more than ten days will, upon taking advantage thereof, report to his post and regimental or corps commander and to The Adjutant General of the Army the date of his departure and his new address, and thereafter he will immediately report any change in his address and the date of return to duty to the same officers. Verbal permits for less than twenty-four hours are not counted as leaves of absence, but every other absence, of whatever duration, with date of departure and return, will be noted on the rolls and returns.

65. Permission to hunt will not be considered as a leave of absence if the officer on his return to the station forwards to department headquarters, through his commanding officer, a certificate that his time while absent was employed solely in hunting, and furnishes a report giving as complete a description as possible of the country traversed by him.

66. Permission to hunt may be granted by division, department, or post commanders for periods not exceeding ten days.

67. All applications for extensions of leaves of absence or for delays, and all correspondence regarding them, will pass through military channels.

ARTICLE X.

Officers Traveling on Duty.

68. When an officer is ordered without troops from one post of duty to another, he will proceed by the shortest usually traveled route, without unnecessary delay. Upon his arrival at his new post, he will immediately report to the commanding officer the date of his departure from his former station, and submit a copy of his order, noting thereon the date he received it. If he shall appear to have made unnecessary delay en route, he will be required to explain the cause thereof in writing. If the post commander deem the explanation unsatisfactory, he will forward the same, with a statement of the facts in the case, to the department commander. If the officer be superior in rank to the post commander, the required report will be made by the officer himself to the department commander.

69. Orders detaching an officer for a specific duty will direct him to return to his proper station on the completion of the duty assigned him when it is intended that he shall do so.

70. Delays in obeying orders, in reporting for duty, or in returning to duty from leave can not be authorized except by the War Department. Such delays will be regarded as leaves of absence, unless it be stated in the order granting them that they are in the interest of the public service.

71. Orders contemplating the payment of mileage must state the specific duty enjoined, and that the travel directed is necessary in the military service. They will not direct travel beyond the limits of the command of the officer who issues them, except that the commander of the Philippines Division may order officers of his command to return to the United States in cases of emergency, in which the travel directed is manifestly for the public interest or is necessary to save life. When a general officer is ordered on duty beyond the limits of

his command, he may order an officer of his staff to accompany him; if ordered to change station, he may order the necessary change of station of his personal staff.

72. Staff officers not serving under division or department commanders will apply to the War Department for orders directing necessary travel on public business.

73. When urgent public duty has compelled travel, without authority previously obtained, the case will be immediately reported to the proper superior officer, whose approval in subsequent orders will be accepted as though previously issued.

74. Orders directing officers to visit Washington for the settlement of their accounts will be issued only by the War Department.

75. Officers and enlisted men reporting as witnesses before a civil court should receive from the civil authorities the necessary expenses incurred in travel and attendance; neither mileage nor travel allowances will be paid in such cases by the War Department. If, however, it is absolutely necessary to furnish them transportation in kind to enable them to appear, as witnesses for the Government, before a civil court of the United States, an account of such expenditure, together with the evidence that they were properly subpœnaed and did attend the court, will be forwarded to the War Department for presentation to the Department of Justice. Officers providing such transportation will notify the court, or the marshal thereof, that it was furnished to enable the witnesses to perform the requisite journeys in obedience to the summons.

ARTICLE XI.

Retirement of Officers.

76. When an officer becomes disabled for the performance of duty by reason of wounds, sickness, or improper habits, his immediate commander will report the facts to the department commander for the action of the War Department. The report in each case will contain specific statements and the names of witnesses by whom they can be substantiated.

77. Habitual intemperance, gambling, or other vices that tend to corrupt an officer and lower the professional standard will be regarded as proper subjects for the consideration and report of a retiring board.

78. When ample testimony establishes the fact that an officer has through vicious indulgence slighted or neglected his duties to such a degree as to make it unsafe to intrust him with a command, or with responsibility that properly belongs to his grade, and when it is shown that such habits have continued for such length of time as to render permanent reformation improbable, this fact, rather than his condition when he appears before the board, shall weigh in its finding as to his incapacity for active duty.

ARTICLE XII.

Resignation of Officers.

79. A resignation tendered by an officer will be forwarded by his commanding officer, through prescribed channels, to the War Department for the decision of the President. Until duly accepted, the officer will not be considered as out of the service.

80. A resignation tendered under charges will be forwarded, accompanied by a report of the case, and, if practicable, by a copy of the charges. All correspondence with the War Department, on the part of the officer who tenders the resignation, will be conducted through prescribed channels.

81. Leave of absence will not be granted on tender of resignation unless the resignation be unconditional and immediate. When leave is requested, the officer's address will accompany the resignation.

82. An officer of the Army on the active list who accepts or exercises the functions of a civil office contrary to law thereby ceases to be an officer of the Army. An officer on the active list can not lawfully accept or hold any office created by State or municipal authority, whether in State military organizations or otherwise.

ARTICLE XIII.

Deceased Officers.

83. The death of an officer, with place, cause, day, and hour, will be reported without delay, by telegraph, by his immediate commander directly to The Adjutant General of the Army, and also to the department commander. If the officer was on the active list of the Army, the report will show whether or not his death was from wounds or disease contracted in line of duty, and whether or not his death was from wounds or disease the result of his own misconduct. In case of the death of a retired officer, or of an officer on the active list who has no immediate commander, the medical officer, if one be present, or any officer having cognizance of the fact, will make the report to The Adjutant General of the Army. In case the officer was on the active list and died from wounds or disease not the result of his own misconduct, The Adjutant General of the Army will notify the Paymaster General of that fact.

84. Inventories in duplicate of the effects of deceased officers, as required by the one hundred and twenty-fifth article of war, will be transmitted to The Adjutant General of the Army. If legal representatives take possession of the effects, the fact will be stated in the inventory.

85. If there be no legal representatives present to receive the effects, a list of them will be sent to the nearest relative of the deceased. If not claimed within a reasonable time, they will be sold at auction and accounted for as in the case of deceased soldiers. Swords, watches, personal papers, trinkets, and similar articles will be labeled with the name, rank, regiment, and date of death of the owner and sent directly to The Adjutant General of the Army to be forwarded to the Auditor for the War Department for the benefit of those legally entitled to them. The accounts of deceased officers will be settled as provided for in paragraph 165.

86. On the death of an officer in charge of public property or funds, his commanding officer will appoint a board of officers, three when practicable, which will inventory the same and make the customary returns therefor, stating accurately amounts and condition. These the commanding officer will forward to the chiefs of the bureaus to which the property or funds pertain, and he will designate an officer to take charge of such property or funds until orders in the case are received from the proper authority. Cash on hand may be invoiced by the board to the deceased officer's successor, but balances to his credit with the Treasurer, an assistant treasurer, a designated depositary, or a fiscal agent of the United States, over and above his outstanding checks, will be deposited to the credit of the Treasurer of the United States by the chiefs of bureaus when the board has reported to the bureaus the balances over and above such checks. The action herein prescribed will also be taken in the case of an officer in charge of public funds or property who becomes insane.

87. The remains of a deceased officer on the active list may be shipped to the home of the decedent or to a national cemetery for interment. When death occurs in the United States or in Alaska, and early shipment is practicable, the

remains will be prepared for shipment and the nearest relative notified by telegraph with request to reply by telegraph stating whether or not it is desired to have the remains shipped home at Government expense, and if shipment home is desired to designate the destination and the name of the person to whom the remains are to be consigned; in which case the remains will be transported to the point designated and the consignee notified by telegraph. Should the nearest relative state that it is not desired to have the remains shipped home, or if it is impossible to ascertain the relative's desire within a reasonable time, interment will be made in the nearest military post or national cemetery or, if the commanding officer deem proper, at the place of death. If the relatives direct that the remains be not shipped home and they are interred at the expense of the Government, subsequent disinterment or shipment of the remains at the request of the relatives will not be made at Government expense.

If the remains are interred in a military post or national cemetery, or at the place of death, the expenses incident to the interment will be limited to $75, to be paid from the appropriation, "Disposition of remains of officers, soldiers, civilian employees, and so forth" (designated by the Treasury Department as "Bringing home remains of officers, soldiers, and civil employees"), and will be restricted to the cost of the casket, hire of a hearse and the reasonable and necessary expenses of preparing the remains for interment.

If the remains are to be shipped, the expenses, exclusive of the cost of transportation, will be limited to $75 and restricted to the cost of the casket, shipping case and the reasonable and necessary expenses of preparing the remains for shipment. In either case, any transportation involved will be paid from the appropriation hereinbefore mentioned.

When it is impracticable to ship the remains at the time of death, or if it is impossible to communicate with the relatives before interment, the remains may be subsequently disinterred and shipped home at Government expense at the request of the relatives. In such cases the cost of the disinterment and preparation of the remains for shipment will not exceed $75, except by authority of the Secretary of War, and, including transportation, will be paid from the before-mentioned appropriation.

Transportation may be issued for one attendant to accompany the remains shipped, provided the cost to the Government of shipping the remains by express is not thereby exceeded.

The officer under whose direction the disposition of the remains is made will forward a full report thereof to The Adjutant General of the Army.

Where practicable, contract will be made with an undertaker or other competent person for services in the preparation of remains for interment or shipment during a fiscal year, as contemplated for other purposes in paragraph 559. A written report of the disposition of the remains, with an itemized statement of the cost of embalming, coffin or casket, hire of hearse and transportation, will be forwarded by the quartermaster without delay directly to the Quartermaster General of the Army.

ARTICLE XIV.

Veterinarians, Cavalry and Field Artillery.

88. Veterinarians are appointed by the Secretary of War, subject to competitive examinations as to eligibility, capacity, and fitness. The scope and conditions of such examinations will be announced in orders from time to time by the War Department.

89. A veterinarian receives the pay of a second lieutenant, mounted, and is entitled to the same allowances in kind, of quarters, fuel, and light.

90. It shall be the duty of the veterinarian to visit at least daily all sick or injured animals at his station, and to recommend such treatment as he may deem proper. He will have access to the stables at all times. Upon request he will attend such authorized private horses of mounted officers as may need his services.

91. The veterinarian will instruct company horseshoers and company farriers in the proper care of the horse. In this he will give especial importance to the anatomy and pathology of the foot, showing the nature and uses of all its parts, illustrating the subject by dissections and specimens. He will also teach the principles and practice of horseshoeing. For the purpose indicated he will make such visits of instruction to companies of the regiment not at his station as may be deemed necessary by the regimental commander.

92. Wherever four or more troops of cavalry or three or more batteries of field artillery are stationed, a suitable building may be set apart as a veterinary hospital.

ARTICLE XV.

Post and General Noncommissioned Staff.

POST NONCOMMISSIONED STAFF.

93. The post noncommissioned staff consists of ordnance, post commissary, and post quartermaster sergeants. They are appointed by the Secretary of War, after due examination, as follows: Ordnance sergeants from sergeants of the line who have served at least eight years in the Army, including four years as noncommissioned officers, and who are less than 45 years of age; post commissary sergeants from sergeants of the line who have served five years in the Army, including three years as noncommissioned officers; post quartermaster sergeants from the most competent enlisted men of the Army who have served at least four years.

94. An application for appointment to the post noncommissioned staff must be in the handwriting of the applicant and will state briefly the length and nature of his military service, and for what time and in what organizations he has served as a private and as a noncommissioned officer. The immediate commanding officer will indorse thereon a statement as to the character, intelligence, and fitness of the applicant. The application so indorsed will be submitted to the regimental or artillery district commander or other proper commanding officer, who will forward the same, with his remarks as to the merits of the applicant, to The Adjutant General of the Army.

95. While the law contemplates in these appointments the better preservation of public property at the several posts, there is also a further consideration—that of offering a reward to faithful and well-tried enlisted men eligible for appointment, thus giving encouragement to deserving soldiers to hope for substantial promotion. Commanding officers can not be too particular in investigating and reporting upon the character and qualifications of applicants.

96. Regulations for the examination of applicants for appointment as post noncommissioned staff officers will be published from time to time in orders by the War Department.

97. A post noncommissioned staff officer will assist the officer of his department, and will not be detailed upon any service not pertaining to his proper position, unless the necessities of the service require such detail, in which case the post commander will note the fact, with reasons therefor, on the sergeant's personal report.

98. A post noncommissioned staff officer at an ungarrisoned post or station will be responsible for the property of his own department, and for such other property as may be intrusted to him for safe-keeping. For all public property committed to his charge he will account to the heads of the staff departments concerned, and if the means at his disposal are insufficient for its preservation he will report the facts.

99. The military control of post noncommissioned staff officers serving at posts not occupied by troops is vested in the commander of the territorial department in which they are serving. All matters relating to them as soldiers subject to military command, as distinguished from the administrative duties imposed upon them by regulations and orders, will, except in cases of reenlistment, be determined at department headquarters, where their descriptive lists will be kept. When they are discharged a copy of the descriptive list, upon which will be noted the fact of discharge, with the date, place, and cause, and the character given on the discharge certificate, will be forwarded to The Adjutant General of the Army.

100. Each post noncommissioned staff officer will make a personal report on June 30 of each year. The officer under whose orders these noncommissioned officers are serving will indorse upon each separate report his opinion of the manner in which the noncommissioned officer has performed his duties, and the commanding officer will forward the report through military channels to the chief of the proper bureau or corps. In addition to the annual personal report, each post noncommissioned staff officer changing station under proper orders will report through his commanding officer to the chief of the proper bureau or corps upon arrival at his new station the date he left his former station and the date he reported for duty at his new station. Similar report will be made upon return from any detached duty, furlough, or other absence.

101. A post noncommissioned staff officer may be reenlisted, provided he shall have conducted himself properly and performed his duties in a satisfactory manner. If, however, his commanding officer should not deem the reenlistment to be for the best interest of the service, he will communicate his reasons to The Adjutant General of the Army in time to receive the decision of the War Department before the soldier's discharge. If serving at an ungarrisoned post, application for reenlistment will be made by the soldier to The Adjutant General of the Army through department headquarters, and the reenlistment papers in such cases will immediately be forwarded through the same channel. A post noncommissioned staff officer will be furnished with a warrant signed by the chief of the proper staff corps or department. The warrant will remain in force as long as the soldier is continuously in the service, i. e., if he reenlists the day following that of discharge. Every such reenlistment will be noted on the back of the warrant by the officer who reenlists the soldier, as follows: Reenlisted (date); warrant continued.

102. Post noncommissioned staff officers, though liable to discharge for inefficiency or misconduct, will not be reduced.

GENERAL NONCOMMISSIONED STAFF.

103. The general noncommissioned staff consists of noncommissioned officers of the Signal Corps, Hospital Corps, and Ordnance Department, except ordnance sergeants. They are appointed, promoted, reduced, and their warrants signed as follows:

In the Hospital Corps, as prescribed in Article LXXVII.

In the Ordnance Department, by the Chief of Ordnance.

In the Signal Corps, by the Chief Signal Officer as prescribed in paragraph 1579.

Their warrants may be continued in force upon discharge and reenlistment, if reenlistment be made on the day following that of discharge; each reenlistment and continuance will be noted on the warrant by the company or detachment commander.

ARTICLE XVI.

Detached Soldiers: Descriptive Lists.

104. When an enlisted man is detached from his company, a descriptive list will be prepared and forwarded to his new commanding officer. On the descriptive list will be shown the pay due the soldier, the condition of his clothing allowance, and all information necessary to the settlement of his accounts with the Government. When it can be avoided, the descriptive list will not be intrusted to the soldier, but to an officer or noncommissioned officer under whose charge he may be, or it may be forwarded by mail. The date of the last vaccination of the soldier and its result will be noted on the descriptive list. Articles of ordnance equipment in possession of a detached soldier will be transferred as prescribed in paragraph 1557.

105. All matters relating to the pay, clothing allowance, subsistence, discharge, reenlistment, death and desertion of enlisted men detailed for duty with the organized militia under section 20 of the act of Congress approved January 21, 1903, as amended by the act of Congress approved May 27, 1908, will be administered and determined at the headquarters of the department in which such enlisted men may be serving. The descriptive lists of these men will be kept at department headquarters.

Each enlisted man on detached service with the organized militia of any State, Territory, or the District of Columbia, will render a personal report to The Adjutant General of the Army on the last day of each bimonthly muster period and will forward it through department headquarters. In addition to this bimonthly personal report made to The Adjutant General of the Army he will report quarterly, on September 30, December 31, March 31, and June 30, directly to the Chief of the Division of Militia Affairs, War Department, Washington, D. C., the details of all drills and instruction given by him during the last quarter to the organized militia of the State in which he is serving, and as to other work, if any, performed by him during that period by direction or at the request of the State authorities.

All official communications for the War Department from enlisted men on duty with the organized militia, other than the quarterly report of work done, prescribed above, will be addressed to The Adjutant General of the Army and will be forwarded through department headquarters.

ARTICLE XVII.

Furloughs to Soldiers.

106. Furloughs in the prescribed form for periods of three months may be granted to enlisted men by general officers commanding posts, and for periods of one month by other commanding officers of posts, or by regimental commanders if the companies to which the men belong are under their control. A furlough will not be granted to a soldier about to be discharged, nor shall the number of enlisted men furloughed from any command in the field exceed 5 per cent of the enlisted strength present therewith.

107. The commander of a tactical division or separate brigade may grant furloughs to enlisted men for two months; the commander of a tactical corps, territorial division or department for three months, or they may extend to such periods furloughs already granted. Chiefs of War Department bureaus may grant furloughs for three months to enlisted men of their respective corps or departments serving under the exclusive control of themselves or their subordinates or they may extend to that period furloughs already granted to such enlisted men. For a longer period than three months the authority of the War Department is necessary. Permission to delay may be granted to enlisted men traveling under orders as authorized for furloughs. The conditions under which furloughs to soldiers on reenlistment are authorized will be announced from time to time in orders.

108. The commanding officer of a corps, or of a separate command in the field, may suspend the granting of furloughs in any or all organizations within his command whenever, in his opinion, circumstances render it necessary, or advisable, or for the best interests of the service.

109. The approval of the War Department must be obtained to allow an enlisted man on furlough to leave the United States to go beyond the sea. The limits prescribed will be stated in the furlough, and if exceeded, it may be revoked and the soldier arrested. A company commander in forwarding an application for furlough will state previous absences on furlough that are of record in the company. The authority under which a furlough is granted (whether under Army Regulations or in pursuance of the orders of a superior) will be cited on the face of the furlough by the officer granting it.

110. On the application of a soldier on furlough, made at a military station and showing clearly the urgency of his case, the department commander may order transportation and subsistence to be furnished to enable him to rejoin his proper station, and the company commander will charge the cost thereof against the soldier's pay on the next muster and pay rolls, in accordance with paragraphs 1126 and 1258. The date of the application will be entered on the furlough.

111. Furloughs granted to enlisted men serving in Porto Rico, Hawaii, Guam, the Philippine Islands, Alaska, or at any station beyond the continental limits of the United States, for the purpose of returning thereto, will take effect on the dates they reach the United States, which will be indorsed on the furloughs by the transport quartermaster if travel is by United States transport; otherwise the certificate of the captain, purser, or other proper officer of commercial steamer upon which journey is made, as to date of arrival in home port will be indorsed thereon. The furloughs will direct the soldier to report for duty at the close of the last day thereof at the military post nearest the particular home port from which transports or commercial steamers usually sail for the islands or stations above referred to, and the commanding officers of these posts will assign such enlisted men to organizations under their command for the purpose of subsistence during the time they are detained at their posts, and they will be returned to their proper stations by the first available transport, or commercial steamer if there are no United States transports sailing to destination. Commanding officers will cause notation to be made on the furloughs showing the dates when the men report at their posts and at the proper time will issue the necessary orders directing them to rejoin their stations, reciting therein the date of their arrival in the United States, date of reporting at post, and whether or not commutation of rations has been paid. A copy of the order will be furnished to the soldier and to the commanding officer concerned. The quartermaster and commissary of the transport, or proper officer of commercial steamer on which these enlisted men return, will indorse on such orders the

dates during which they were subsisted aboard the transport or commercial steamer. The order will be retained by the enlisted man, who will deliver it to his commanding officer as evidence of his authority to be absent from his post during the time required for travel in rejoining the same.

112. When the station of an enlisted man is changed while he is on furlough, he will, on joining his new station, be entitled to travel allowances for the excess of distance from the place of receipt of the order to the new station over the distance to his old station. A soldier who has returned to the station from which furloughed, his company having changed station during his absence, is entitled to transportation at the expense of the Government from the old to the new station of his company. Charges for transportation furnished to enlisted men on furlough, in pursuance of paragraph 110, will be adjusted in accordance with the requirements of this regulation.

113. Soldiers on furlough will not take with them their arms or accouterments, and no payments will be made to them without authority from the War Department.

ARTICLE XVIII.

Transfer of Enlisted Men.

114. Transfers of enlisted men will be made for cogent reasons only and will be effected as follows:

1. When not involving change of station—
   - *a.* Within a regiment, by the regimental commander.
   - *b.* Within a detached battalion serving at such a distance from regimental headquarters that more than fifteen days are required for exchange of correspondence by mail, by the battalion commander.
   - *c.* Within an artillery district, all enlisted men of the Coast Artillery Corps by the artillery district commander.

2. In cases involving change of station transfers will be made by the regimental commander, the battalion commander, under the circumstances stated in the preceding section, or the artillery district commander, with the approval of the authority competent to direct the necessary travel.

3. From one organization of the line of the Army to another serving—
   - *a.* Within any post commanded by a general officer, by the post commander.
   - *b.* Within any territorial department not part of a division, by the department commander.
   - *c.* Within any tactical or territorial division, by the division commander.

4. From the line of the Army to the Hospital Corps, as prescribed in the article relating to the Medical Department.

5. In all other cases, by the War Department.

115. A transfer will take effect on the date of the receipt of the order at the post where the soldier is serving, and a descriptive list showing that date will be forwarded to the commanding officer of the company or detachment to which the soldier is transferred. The actual date of transfer will be stated on the roll upon which the soldier is first paid after transfer.

ARTICLE XIX.

Deserters.

116. When a soldier deserts, his immediate commanding officer will at once ascertain whether any public property has been lost in consequence thereof, and, if so, will proceed as in the case of property lost or destroyed, and the value of

the articles lost will be charged against the deserter on the next muster rolls of his company.

The charges will also be made on the pay roll. A copy of the approved report of the surveying officer will accompany the return to which the property pertains.

117. The company or detachment commander will turn over the clothing abandoned by a deserter to the quartermaster, with a certificate showing its condition and the name of the deserter to whom it belonged. The quartermaster will transfer to such depot of the Quartermaster's Department as may be designated all outer garments of distinctive uniform clothing. In no case will the money or proceeds of the sale of effects of a deserter be turned over to his relatives, nor any payment made therefrom by an officer on any account whatsoever. All other personal effects of a deserter will be disposed of as in the case of unclaimed effects of deceased soldiers—i. e., they will be sold by a council of administration and the proceeds of the sale deposited with a paymaster.

The paymaster's receipt for the money deposited as above should clearly specify the nature of the deposit—i. e., whether for the proceeds of sale of effects or whether for the undrawn pay of a soldier who has deserted—and the officer responsible should furnish the paymaster with the necessary information. Money or other valuables found upon an apprehended deserter are his personal property and will not be turned over to a paymaster.

118. Whenever a desertion occurs at a post, the commanding officer will cause a number of descriptive lists of the deserter to be prepared on the special form prescribed, copies of which will be sent at once to such marshals, sheriffs, and police officers as the commanding officer may deem proper; also to the officer in charge of any recruiting station at or near the place where the deserter was accepted for enlistment, who will distribute them to the best advantage among civil officers in that vicinity authorized by existing law to summarily arrest deserters from the Army.

119. A post commander will promptly notify The Adjutant General of the Army, directly, of every desertion from his command, giving the full name, company, and regiment of the deserter, with dates of enlistment and desertion.

120. When a soldier deserts from or when a deserter is received at a post other than the station of his company or detachment, the commanding officer of the post will report the fact to the commanding officer of the company or detachment, with date and place of desertion, apprehension, or surrender, and such additional data as he may possess requisite to the preparation of charges. If, however, a deserter whose company or detachment is stationed in Alaska or beyond the continental limits of the United States is received at a station within the United States, a similar report will also be made to the War Department.

121. A reward of $50 will be paid to any civil officer or civilian for the apprehension and delivery, to the proper military authorities at a military post, of a deserter from the military service, except a deserter from the Philippine Scouts, for whose apprehension and delivery a reward of $20 will be paid. A reward of $50 will also be paid for the apprehension and delivery, to the proper military authorities at a military post, of an escaped military prisoner. No reward will be paid in the case of a deserter or of an escaped military prisoner who is serving in the Army, Navy, or Marine Corps, or in the case of a deserter who, subsequently to his desertion, has been dishonorably discharged from any other enlistment in the Army, or who can claim exemption from punishment under the one hundred and third article of war. The reward will be paid by the Quartermaster's Department and will be in full satisfaction of

all expenses for arresting, keeping, and delivering the deserter or escaped military prisoner. The quartermaster making the payment will report that fact to the commanding officer of the organization to which the deserter belongs or to the commanding officer of the military post or prison from which the prisoner escaped.

122. When enlisted men are sent in pursuit of a deserter, the expenses necessarily incurred will be paid whether he be apprehended or not, and will be reported as in payment of rewards. Should a written order be issued for this duty and a transportation request be furnished the party in pursuit, the name, rank, company, and regiment of the deserter will be stated in the order and also noted on the request.

123. A reward will not be paid by a recruiting officer for the delivery of a deserter at a recruiting station, except upon express authority from The Adjutant General of the Army. In the event of the surrender or of the delivery of a deserter to a recruiting officer the latter will at once telegraph to The Adjutant General of the Army, stating whether the deserter is physically fit for service and requesting instructions relative to the disposition to be made of him and the payment of the reward.

124. When a report is received of the apprehension or surrender of a deserter at a post other than the station of his company, his company commander will immediately forward his descriptive list, military record, and statement of accounts, and the names of the witnesses and a brief statement of the evidence expected from each, together with a complete set of charges against the deserter, to the officer who makes the report. In cases reported to the War Department under the provisions of paragraph 120, the descriptive list will be furnished by The Adjutant General of the Army, and the charges will then be preferred at the post where the prisoner is held.

125. When a deserter surrenders or is delivered at a military post, the commanding officer will cause immediate inquiry to be made of him in regard to the dates of his enlistment and desertion, and if these indicate that trial is barred by law, and the deserter claims to have been within the limits of the United States during two years subsequent to the date of the expiration of the term for which he was enlisted, the commanding officer will telegraph to The Adjutant General of the Army for verification of the service claimed by the deserter. When it is determined that trial is barred by law the commanding officer will require the deserter to file an affidavit asserting his claim, will immediately set him at liberty with instructions to apply by letter to The Adjutant General of the Army for a "deserter's release," and will then report his action directly to The Adjutant General of the Army, forwarding with the report the affidavit of the deserter.

126. The commanding officer will cause an enlisted man who has been apprehended or has surrendered as a deserter, and whose trial for desertion is not barred by the statute of limitation, to be examined by a medical officer at the post where he is received, and will forward a report of this examination to department headquarters with the charges for desertion. If the examination shows that the man is fit for service, the department commander will bring him to trial, or otherwise dispose of the case, as the interests of the Government may dictate, but no deserter will be sent, either before trial or after trial, beyond the limits of the department in which he is returned to military control, the Philippine Islands excepted, without authority for sending him beyond such limits having first been obtained from the War Department. If, on account of disease, age, or other permanent disability, the man is found to be unfit for service, the report, with the department commander's recommendation thereon, will be forwarded to The Adjutant General of the Army, except that

in the case of a deserter in the Philippine Islands the report will be forwarded to the division commander, who hereby is authorized to order the man's discharge without honor by reason of desertion, and who will forward the papers, with report of his action, to The Adjutant General of the Army.

127. Rewards or expenses paid for apprehending a deserter, and the expenses incurred in transporting him from point of apprehension, delivery, or surrender to the station of his company or detachment, or to the place of his trial, including the cost of transportation of the guard, will be set against his pay upon conviction of desertion by a court-martial, or upon his restoration to duty without trial. A soldier convicted by a court-martial of absence without leave will be charged with the expense incurred in transporting him to his proper station. The transportation and subsistence of witnesses will not be charged against a deserter.

128. If a soldier be brought to trial under a charge of desertion and acquitted, or convicted of absence without leave only, any amount paid as a reward for his arrest will not be stopped against his pay unless, in case of conviction of absence without leave, the sentence of the court shall so direct. The sentence in such case should direct the charge to take the form of a stoppage, not a forfeiture, thus allowing the amounts to be credited as a reimbursement.

129. Deserters will be brought to trial with the least practicable delay. While awaiting trial they will receive no pay, nor will they be permitted to sign pay rolls, and will be required to wear the clothes worn at the time of arrest, unless it should be imperative to issue other clothing, when, as far as practicable, only deserters' or other unserviceable clothing will be issued.

130. A deserter who surrenders or is apprehended before his term of enlistment has expired is entitled to pay and allowances from the date of his return to military control. If he is subsequently restored to a duty status, he will serve for such period as will, with the time he may have served prior to his desertion, amount to the full term for which he enlisted; but the time during which he may have been in confinement awaiting trial or serving sentence imposed by a court-martial for his desertion, or if he enlists while in desertion, the term served under such unlawful enlistment will not count as making good any of the time lost by desertion. If a deserter's term of enlistment expires while he is in confinement awaiting trial or serving sentence, his pay and allowances will cease from the date of the expiration of his term of enlistment and will not again accrue until he shall have been restored to a duty status. A deserter whose term of enlistment has expired prior to his return to military control is not entitled to pay and allowances until his restoration to a duty status.

131. A deserter will not be restored to duty without trial except by authority competent to order his trial; such restoration, being ordered only in case the desertion is admitted, does not remove the charge of desertion or relieve the soldier from any of the forfeitures attached to that offense; he must make good the time lost by desertion, refund the reward and expenses paid for apprehension and delivery, and forfeit pay while absent. The same authority is competent to set aside a charge of desertion as having been erroneously made, and his order to this effect operates to remove the charge of desertion and all stoppages and forfeitures arising therefrom.

132. An enlisted man who absents himself from his post or company without authority will forfeit all pay and allowances accruing during such absence, and, unless serving an enlistment entered upon prior to May 11, 1908, will be required to make good the time lost by such absence. If serving an enlistment entered upon prior to May 11, 1908, he can not be required, by sentence of court-martial or otherwise, to make good the time lost, except as provided in the

forty-eighth article of war; but the period of absence will not be regarded as service in the computation of continuous-service pay under the laws existing prior to the act of Congress approved May 11, 1908, or for retirement. No man will be reported a deserter until after the expiration of ten days (should he remain away that length of time), unless the company commander has reason to believe that the absentee does not intend to return; but commanding officers will take steps to apprehend soldiers absent without leave as soon as the fact of that absence is reported. Should the soldier not return, or not be apprehended, within the time named, his desertion will date from the commencement of the unauthorized absence. An absence without leave of less than one day will not be noted upon the muster rolls.

133. A soldier not charged with crime, discovered to be a deserter from the Navy or Marine Corps, will be dropped from the rolls of the Army upon receipt of authority from the War Department. In such cases a report with descriptive list will be forwarded to The Adjutant General of the Army by the proper commanding officer, who will hold the man in confinement without pay, awaiting instructions regarding his disposition. Deserters, stragglers, and others absent without proper authority, from the Navy or Marine Corps, will not be received at any military post or station, and no expense whatever to the United States will be incurred in their behalf by the military authorities.

ARTICLE XX.

Retirement of Enlisted Men.

134. When an enlisted man of the Army shall have served as such for thirty years, either in the Army, Navy, or Marine Corps, or in all, he may apply to The Adjutant General of the Army for retirement. Upon the approval of the application an order will be issued from the War Department transferring him to the retired list and directing that transportation in kind to his home and commutation of subsistence during necessary travel be given to him.

Service as a commissioned officer of the United States Volunteers, organized in 1898 and 1899, or of the Porto Rico Regiment of Infantry, or of the Philippine Scouts, will count for the purpose of retirement as an enlisted man as though rendered as such, and length of war service with the Army in the field, or with the Navy or Marine Corps in active service (either as volunteer or regular) during the War of the Rebellion and actual service in China, Cuba, the Philippine Islands, the Island of Guam, Alaska, or Panama, or prior to April 23, 1904, in Porto Rico, will be doubled in computing the thirty years' service necessary to entitle an enlisted man to be retired.

The actual service in any of the places named above will be considered as beginning on the date of a soldier's arrival at the first port of call, and as ending on the date of his departure from the last port of call therein, the respective dates to be entered on the muster roll of the organization to which the soldier belongs.

An enlisted man traveling on a commercial vessel to or from any of these places will be instructed to request the master of the vessel, or, in his absence, the purser, to indorse on his travel order the date of arrival at the first port of call, or the date of departure from the last port of call. If the soldier neglects to obtain such indorsement the period to be counted double will begin with the date of his arrival at his station and will end with the date of his departure from his station.

The time during which a soldier may be on furlough while in any of the places named herein will not be counted double in computing his service for retirement.

135. Upon receipt of the order for retirement, the soldier's immediate commanding officer will furnish him with final statements, closing his accounts of pay, deposits, and all allowances other than those of travel, as of the date of the receipt of the order; he will forward to The Adjutant General of the Army a descriptive list (in duplicate), noting thereon the fact that final statements have been given, the reenlistment or the continuous-service pay per month for which the soldier was last mustered, and his post-office address for the next thirty days. The descriptive list will bear the soldier's signature, or, if he can not write, a statement to that effect. The final statements and descriptive lists must state the date to which subsistence has been furnished, also whether subsistence while traveling home has been furnished, and, if so, for what dates. A discharge certificate will not be given, but the soldier will be dropped from the rolls of his command with appropriate explanatory remarks. The Pay Department will be notified and furnished with the soldier's signature, as in case of discharge.

136. On the last day of every calendar month each retired enlisted man will report his post-office address to The Adjutant General of the Army. Blank forms for personal reports and official penalty envelopes will be furnished to retired enlisted men on application to The Adjutant General of the Army.

137. The authorized pay and allowances of retired enlisted men will be paid to them monthly by the Pay Department. Their pay will be three-fourths of the monthly pay allowed by law for the grade held by them when retired. In addition to the monthly pay they are entitled to $9.50 per month for commutation of clothing and rations and $6.25 per month in lieu of quarters, fuel, and light. Service on the retired list does not entitle enlisted men to any further increase of pay for length of service beyond what accrued at date of retirement.

138. The Adjutant General of the Army will furnish a descriptive list to each retired enlisted man, who will forward it to the chief paymaster of the department in which he may be residing.

The paymaster will note all payments on the descriptive list.

ARTICLE XXI.

Discharges. Certificates of Disability.

DISCHARGES AND FINAL STATEMENTS.

139. An enlisted man will not be discharged before the expiration of his term of service except:

1. By order of the President or of the Secretary of War.
2. By sentence of a general court-martial or military commission.
3. Under rules governing discharge by purchase, by direction of the commander of a territorial department or army in the field.
4. By order of the commanding general, Philippines Division, as authorized by paragraph 126.
5. In compliance with an order of one of the United States courts, or a justice or a judge thereof, on a writ of habeas corpus.

140. When an enlisted man is discharged, his company commander will furnish him with final statements, in duplicate, or a full statement in writing of the reasons why such final statements are not furnished. Final statements will not be furnished a soldier who has forfeited all pay and allowances and has no deposits due him. If he has deposits, final statements will be issued, containing a full statement of the soldier's accounts at the date of his discharge, in order that the paymaster may determine whether there is any balance of stoppages which should be collected from the amount due for de-

posits. When the discharge is made on certificate of disability the ascertained disability, as recited in the certificate, must be given in the final statements as the reason or cause for discharge.

141. Whenever an enlisted man is discharged from the Army prior to the expiration of his term of service, the actual cause of discharge will be stated in the order directing the same and noted on the final statements. Officers signing final statements will be careful to see that these notations are made in all cases, as the cause of discharge determines the soldier's right to travel allowances, and the mere quotation of the number and date of the order upon which discharge is based is insufficient as a guide to proper payment.

142. When an enlisted man is discharged by expiration of service, his discharge will take effect on the last day thereof—i. e., if enlisted on the second day of the month his term will expire on the first day of the same month in the last year of his term of enlistment.

When a soldier immediately reenlists after discharge, the reenlistment will be completed on and bear the date of the day following that of discharge. His pay will then be continuous.

143. Rules governing discharge by purchase and by favor will be published from time to time by the War Department.

144. An enlisted man, a resident of the United States, who is discharged while serving in Alaska or outside of the continental limits of the United States, though under circumstances not entitling him to travel allowances, will, if practicable, be brought to the United States on a United States transport at the expense of the Government. Transportation will be furnished at the convenience of the Government and, in the case of men discharged by way of punishment for offenses or because of confinement by civil authorities, the privilege will be forfeited unless it is made use of at the first opportunity.

145. Transcripts from records of civil courts need not accompany applications for discharge of enlisted men sentenced to imprisonment by such courts. The official statement of the company commander to that effect is sufficient.

146. A soldier, on his discharge from the service, will be given a certificate of discharge signed by a field officer of his regiment or corps, or by the commanding officer when no field officer is present. When more than one field officer of the regiment or corps is present, the commanding officer may designate the particular field officer to perform this duty, and in any case the commanding officer may require the discharge to be submitted to him before delivery to the soldier.

147. The character given on a discharge will be signed by the company or detachment commander, and great care will be taken that no injustice is done the soldier. If the soldier's service has been honest and faithful, he will be entitled to such character as will warrant his reenlistment—that is, to character at least "good." Where the company commander deems the service not honest and faithful, he shall, if practicable, so notify the soldier at least thirty days prior to discharge, and shall at the same time notify the commanding officer, who will in every such case convene a board of officers, three if practicable, to determine whether the soldier's service has been honest and faithful. The soldier will in every case be given a hearing before the board.

If the company commander is the commanding officer, he will report the facts to the next higher commander, who will convene the board. The finding of the board, when approved by the convening authority, shall be final. Discharge without honor on account of "service not honest and faithful" will be given only on the approved finding of a board of officers as herein prescribed.

When an honorable discharge is given following the action of the board, the fact will be noted on the discharge and on the muster rolls.

The proceedings of boards convened under this paragraph, showing all the facts pertinent to the inquiry, will be forwarded by the reviewing authority direct to The Adjutant General of the Army.

148. The place of enlistment will be given under remarks, on back of discharge certificate; and when in the opinion of the company commander the circumstances warrant it, notation will be made that the soldier is fitted for a commission in the United States Volunteers, giving his special qualifications.

149. Blank forms for discharge and final statements will be furnished by the Adjutant General's Department, and will be retained in the personal custody of company commanders. Discharge certificates will be used in the discharge of enlisted men and for no other purpose, and will be of three classes: For honorable discharge, for discharge without honor, and for dishonorable discharge. They will be used as follows:

1. The blank for honorable discharge, when the soldier's service has been honest and faithful, in which case he would be entitled to character at least "good." Where the soldier's conduct has been such as to warrant his reenlistment, his service has been honest and faithful and he is entitled to character at least "good."

2. The blank for discharge without honor, when a soldier is discharged—

a. Without trial, on account of fraudulent enlistment.

b. Without trial, on account of having become disqualified for service, physically or in character, through his own misconduct.

c. On account of imprisonment under sentence of a civil court.

d. Where the service has not been honest and faithful; that is, where the service does not warrant his reenlistment.

e. When discharge without honor is specially ordered by the Secretary of War for any other reason.

3. The blank for dishonorable discharge, for dishonorable discharge by sentence of a court-martial or military commission.

150. Discharge certificates will not be made in duplicate. Upon satisfactory proof of the loss of a discharge, or of its destruction, without the fault of the person entitled to it, the War Department may issue to such person a certificate of service, showing date of enlistment in and discharge from the Army and character given on discharge certificate. Discharge certificates must not be forwarded to the War Department in correspondence unless called for.

151. The discharge of a soldier takes effect on the date of notice to him of such discharge, either actual, by delivery of the certificate of discharge, or constructive, as where such delivery can not be made owing to his absence for his own convenience or through his own fault, in which case the receipt of the discharge at his proper station will be deemed sufficient notice. The date of discharge on the final statements must be the same as that on the discharge certificate.

152. Upon the discharge of a soldier his commanding officer will place on his discharge certificate above the line for "Previous service" a notation showing, in the following form, the enlistment period in which the soldier is serving:

Serving in ——— enlistment period at date of discharge.

Upon the reenlistment of a soldier the recruiting officer will note on the soldier's descriptive and assignment card the enlistment period that begins with such reenlistment.

153. If a soldier be discharged while absent from his company, a complete descriptive list, giving date, place, cause, and the character given on the discharge certificate, will be sent by the officer giving the discharge to the soldier's company commander.

154. In order to prevent payment on fraudulent discharge papers, the officer who prepares the final statements of a soldier will, at least one week before the discharge takes effect, send by mail to the paymaster to whom the soldier may wish to apply for payment a notification, stating therein, in his own handwriting, the date of last payment to the soldier, and his credits and debits both in words and figures, and other essential data. The officer will also send the soldier's signature, or will report that the soldier can not write his name. Blank forms for this notification will be supplied by The Adjutant General of the Army. The officer issuing the final statements will inform the discharged soldier of the name and location of the paymaster to whom he shall apply for payment.

It should be borne in mind that overpayments caused by erroneous final statements will be charged against the officer who signed the final statements.

In cases arising under paragraph 139 the notification will be sent to the paymaster as soon as possible after the order for discharge reaches the officer who prepares and signs the final statements, and, in any event, before the discharge certificate and final statements are signed.

155. A dishonorable discharge from the service is a complete expulsion from the Army, and covers all unexpired enlistments.

156. When a soldier is sentenced by court-martial to confinement without dishonorable discharge, for a period extending beyond the expiration of his term of enlistment, he will be discharged, honorably or without honor, on the date of the expiration of the term of enlistment, but will be held to serve out his sentence, the certificate of discharge being delivered to him on his release from confinement. When, however, a soldier's term of enlistment expires while he is awaiting trial or sentence, he will be discharged (honorably, without honor, or dishonorably, according to circumstances) on the date of the receipt of an order publishing the case or otherwise disposing of it, and the discharge will be dated accordingly.

157. When transportation in kind is furnished to a discharged soldier to enable him to reach a paymaster, the quartermaster will note on the final statements that "transportation in kind from ——— to ——— has been furnished," stating the cost thereof, which will be deducted by the paymaster. If a soldier, discharged at the place of his enlistment, be furnished with transportation to enable him to reach a paymaster, the cost thereof will be ascertained and noted on his final statements, to be deducted by the paymaster.

CERTIFICATES OF DISABILITY.

158. When an enlisted man is permanently unfitted for military service because of wounds or disease, he should, if practicable, be discharged on certificate of disability before the expiration of the term of service in which the disability was incurred.

159. When an application for discharge is approved, the post or regimental commander will furnish to the surgeon by whom the certificate was given, or to the senior surgeon of the command to which the soldier was attached at the time of his discharge, a letter setting forth the full name and rank of the soldier, the company and regiment to which he belonged, the date of discharge, and the cause thereof as stated in the certificate. The surgeon, having made a true copy of the letter for the completion of his own records, will forward the original to the Surgeon General directly.

160. As disability occurring in the service is usually made the basis of a claim for pension, special care will always be taken to state in the certificate the degree of disability, to describe particularly the disability, wound, or dis-

ease, the extent to which it deprives the soldier of the use of any limb or faculty, or affects his health, strength, activity, constitution, or capacity to labor. If such disability was incurred in the line of duty, and the soldier declined treatment for the relief of such disability where treatment was directed, that fact will be set forth in the certificate for the information of the Bureau of Pensions.

In the examination of certificates of disability for discharge, it is enjoined upon chief surgeons, and others concerned, to observe that there is no conflict between the statements of company commanders, medical and other officers thereon, as to whether the disability was incurred in line of duty or not in line of duty. If any discrepancy exists in this particular, every possible means will be employed to harmonize the statements before forwarding the papers.

ARTICLE XXII.

Deceased Soldiers.

161. In case of the death of any soldier, it will be the duty of his immediate commander to secure his effects and to prepare the inventory required by the one hundred and twenty-sixth article of war, according to prescribed form, and to notify the nearest relative of the fact of death. Duplicates of the inventory, with final statements, and a report from the medical officer, if there is one having a knowledge of the facts, if not, from the soldier's immediate commanding officer as to cause of death, whether or not it was from wounds or disease contracted in line of duty, and whether or not it was from wounds or disease the result of his own misconduct, will be sent to The Adjutant General of the Army. In case the soldier died while on the active list and from wounds or disease not the result of his own misconduct, The Adjutant General of the Army will notify the Paymaster General of that fact.

162. Officers charged with the care and custody of the effects of deceased soldiers are required, under the provisions of the one hundred and twenty-seventh article of war, to deliver the same, or the net proceeds thereof, to the legal representatives of the deceased. Should the effects of a deceased soldier not be claimed within a reasonable time, they will be sold by a council of administration under the authority of the post commander, and the proceeds transferred to the deceased soldier's immediate commander, by whom they will be deposited with a paymaster to the credit of the United States. Duplicate receipts will be taken, one of which will be sent directly to The Adjutant General of the Army and the other retained with the appropriate records. The paymaster's receipt for the money deposited as above will clearly specify the nature of the deposit, and the officer responsible will furnish the paymaster with the necessary information. There is no authority for officers to pay the debts of deceased soldiers. Watches, trinkets, personal papers, and keepsakes will not be sold, but will be labeled with the name, rank, and organization of the owner, and sent directly to The Adjutant General of the Army, to be forwarded to the Auditor for the War Department for the benefit of those legally entitled to them. Clothing effects will not be sent to The Adjutant General of the Army nor to the Auditor for the War Department.

The foregoing provision will also apply, as far as practicable, in the cases of deceased soldiers on the retired list of the Army whose effects may be under the control of the military authorities.

163. In all cases of sale by a council of administration a detailed statement of the proceeds, duly certified by the council and the commanding officer, will

accompany the paymaster's receipt forwarded by the immediate commander to The Adjutant General of the Army. The statement will be indorsed:

Report of the proceeds of the effects of ———, who died at ———, the ——— day of ———.

164. The effects will be delivered, when called for, to the legal representatives of the deceased, and the receipts therefor forwarded to The Adjutant General of the Army. Applications for arrears of pay and proceeds of sale of effects of deceased soldiers should be addressed to the Auditor for the War Department, Washington, D. C.

165. The accounts of deceased soldiers are settled by the Auditor for the War Department, and the following is the order of distribution provided for by the act of Congress approved June 30, 1906 (34 Stat. L., 750):

Where the amount due the decedent's estate is less than five hundred dollars and no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if decedent left no widow, or the widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts, provided the father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided,* That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers.

When the amount due to the decedent's estate exceeds the sum of $500 legal administration of the estate is necessary.

Officers are advised that, in the cases of single men, it is a safe rule to dispose of the effects as prescribed in paragraph 162 and leave the responsibility of distribution to the Treasury Department.

166. The remains of a deceased enlisted man on the active list may be shipped to the home of the decedent or to a national cemetery for interment. When death occurs in the United States or in Alaska, and early shipment is practicable, the remains will be prepared for shipment and the nearest relative notified by telegraph with request to reply by telegraph stating whether or not it is desired to have the remains shipped home at Government expense, and if shipment home is desired to designate the destination and the name of the person to whom the remains are to be consigned; in which case the remains will be transported to the point designated and the consignee notified by telegraph. Should the nearest relative state that it is not desired to have the remains shipped home, or if it is impossible to ascertain the relative's desire within a reasonable time, interment will be made in the nearest military post or national cemetery or, if the commanding officer deem proper, at the place of death. If the relatives direct that the remains be not shipped home and they are interred at the expense of the Government, subsequent disinterment or shipment of the remains at the request of the relatives will not be made at Government expense.

If the remains are interred in a military post or national cemetery, or at the place of death, the expenses incident to the interment will be limited to $35, to be paid from the appropriation, "Disposition of remains of officers, soldiers, civilian employees, and so forth" (designated by the Treasury Department as "Bringing home remains of officers, soldiers, and civil employees"), and will be restricted to the cost of the casket, hire of a hearse and the reasonable and necessary expenses of preparing the remains for interment.

If the remains are to be shipped, the expenses, exclusive of the cost of transportation, will be limited to $50 and restricted to the cost of the casket, shipping case and the reasonable and necessary expenses of preparing the remains for shipment. In either case, any transportation involved will be paid from the appropriation hereinbefore mentioned.

When it is impracticable to ship the remains at the time of death, or if it is impossible to communicate with the relatives before interment, the remains may be subsequently disinterred and shipped home at Government expense at the request of the relatives. In such cases the cost of the disinterment and preparation of the remains for shipment will not exceed $50, except by authority of the Secretary of War, and, including transportation, will be paid from the before-mentioned appropriation.

Transportation may be issued for one attendant to accompany the remains shipped, provided the cost to the Government of shipping the remains by express is not thereby exceeded.

The officer under whose direction the disposition of the remains is made will forward a full report thereof to The Adjutant General of the Army.

Where practicable, contract will be made with an undertaker or other competent person for services in the preparation of remains for interment or shipment during a fiscal year, as contemplated for other purposes in paragraph 559. A written report of the disposition of the remains, with an itemized statement of the cost of embalming, coffin or casket, hire of hearse and transportation, will be forwarded by the quartermaster without delay directly to the Quartermaster General of the Army.

ARTICLE XXIII.

Working Parties. Extra and Special Duty Men.

167. Troops will not be employed in labors that interfere with their military duties except in cases of necessity.

168. Enlisted men detailed to perform specific services which remove them temporarily from the ordinary duty roster of the organization to which they belong will be reported on extra duty if receiving increased compensation therefor, otherwise on special duty. They will not be placed on extra duty except as bakers or to perform the necessary routine services in the Quartermaster's and Subsistence Departments without the sanction of the department commander, except at posts commanded by general officers; they will not be employed on extra duty in time of war, nor in time of peace for labor in camp or garrison which can properly be performed by fatigue parties. Allotments of funds for payment of extra-duty men at department headquarters and depots under the control of department commanders will only be made with the approval of the Secretary of War. Duty of a military character must be performed without extra compensation.

169. Enlisted men detailed by name on extra duty and employed under competent authority at constant labor for not less than ten days are entitled in time of peace to receive extra-duty pay at the following rates: For services as mechanics, artisans, and school-teachers, 50 cents a day; as bakers, according to paragraph 337; as overseers, clerks, teamsters, laborers, and for all other extra-duty services, 35 cents a day. Enlisted men receiving or who are entitled to the 20 per centum increased pay for foreign service as provided by law are not entitled to extra-duty pay.

170. Except in case of emergency, a noncommissioned officer will not be detailed on extra duty, other than that of overseer, without prior authority

for such detail having been obtained from the department commander or the general officer commanding the post, or, in the case of places excepted from the control of department commanders by paragraph 189, from the Secretary of War, upon an application in each case for authority fully setting forth the necessity for the detail and specifying the kind of duty to be performed. The name of the noncommissioned officer to be detailed need not be stated in the application, but the orders detailing noncommissioned officers and other enlisted men for extra duty must in each case specify the men by name. A noncommissioned officer will not be detailed on any duty inconsistent with his rank and position in the military service.

171. Enlisted men of the several staff departments, including members of the post noncommissioned staff, will not be detailed on extra duty without authority from the War Department. They are not entitled to extra-duty pay for services rendered in their respective departments.

172. Company mechanics, artificers, farriers, horseshoers, saddlers, and wagoners will not be detailed on extra duty in the Quartermaster's Department.

173. Soldiers on extra duty will be paid the extra rates of pay allowed by law for the duty performed, and for the exact number of days employed; and no greater number of men will be employed on extra duty at any time than can be paid the full legal rates for the time employed from the funds provided. Payments made in violation of the above rules will be charged against the officers who ordered the details.

174. Extra and special duty men will attend as many inspections, drills, and other duties as the commanding officer deems practicable, unless specifically excused by higher authority.

175. Extra-duty men will be held to such hours of labor as may be expedient and necessary; but, except in case of urgent public necessity, as in military operations, eight hours will be considered a day's work. For all hours employed beyond that number, the soldier will receive additional compensation—the extra hours being computed as fractions of a day of eight hours' duration.

176. Separate allotments for extra duty and unclassified civil labor in departments will be announced from the War Department at the beginning of each fiscal year. The department commander will determine all matters incident thereto at each post in his department. The expenditures must be within the allotments and limited to the absolutely necessary demands of the service.

ARTICLE XXIV.

Soldiers' Home.

177. An honest and faithful service of twenty years in the Army entitles a soldier to admission to the Soldiers' Home, Washington, D. C.

178. When a soldier, by reason of long service, or disability contracted in the line of duty, desires to enter the Soldiers' Home, his company commander will so report, through military channels, to The Adjutant General of the Army, giving all the details necessary for a full understanding of the case, including the date of each enlistment, with company and regiment. If the soldier be physically disabled, the report will be accompanied by certificates of disability. The papers will be referred to the Board of Commissioners of the Home, and if, in its opinion, the soldier is entitled to become an inmate, the necessary authority will be given for his discharge at the place where he is serving. He may then proceed to Washington and report to the Board of Commissioners for admission to the Home.

179. Transportation to the Home will not be furnished except by authority of the War Department, on the application of the Board of Commissioners; and in such case the officer who pays the account will, as soon as payment is made, forward the original account to the Quartermaster General, with a letter of transmittal, in which he will state that the account is forwarded so that it may be referred to the treasurer of the Soldiers' Home for repayment to the Quartermaster's Department. The paying officer will take credit for the amount paid on his accounts for the month, and will note thereon the fact that the account was forwarded to the Quartermaster General, on a specified date, for the purpose aforesaid.

180. Commanding officers will not order the issue of clothing or subsistence to be repaid from the funds of the Home.

ARTICLE XXV.

Medals of Honor and Certificates of Merit.

181. Medals of honor authorized by Congress are awarded to officers and enlisted men in the name of the Congress for particular deeds of most distinguished gallantry in action.

1. In order that the medal of honor may be awarded, officers or enlisted men must perform in action deeds of most distinguished personal bravery or self-sacrifice above and beyond the call of duty so conspicuous as clearly to distinguish them for gallantry and intrepidity above their comrades, involving risk of life or the performance of more than ordinarily hazardous service, and the omission of which would not justly subject the person to censure as for shortcoming or failure in the performance of his duty. The recommendations for the medal will be judged by this standard of extraordinary merit, and incontestable proof of the performance of the service will be exacted.

2. For most distinguished gallantry in action a medal of honor can be awarded to a person, regardless of whether he is in the military service or not, provided he was at the time of the gallant act or acts an officer, noncommissioned officer, or private in the Army of the United States.

3. Consideration of cases will be confined to those in which a specific recommendation for the award of a medal of honor was made or shall be made at the time of the action or within one year thereafter. The testimony in support of such recommendation must, when practicable, embrace that of at least two eyewitnesses, and must be in the form of certificates from officers and affidavits from enlisted men and others, describing specifically the act or acts of gallantry performed.

4. Commanding officers will thoroughly investigate all cases of recommendation for medals of honor arising in their commands, and indorse their opinion upon the papers, which will be forwarded to The Adjutant General of the Army, through regular channels.

182. Announcement of the award of a medal of honor to an officer or enlisted man of the Army will be made in orders from the War Department at the time that the award is made. Upon receipt of copies of such an order commanding officers will publish the order at the first formation at which orders are published to their commands.

183. When any enlisted man of the Army shall have distinguished himself in the service, the President may grant a certificate of merit to him, on the recommendation of the commanding officer of the regiment or chief of the corps to which such man belongs.

1. A certificate of merit can be granted only upon a recommendation therefor made, while the person to whom the grant of the certificate is recommended was in the military service of the United States, by the officer who, at the time the enlisted man distinguished himself, was commanding the regiment or was chief of the corps to which the enlisted man belonged.

2. The word "corps" as used in this article is construed to mean any corps, staff corps, or department of the Army.

3. Unless the officer in immediate command of a regiment or corps at the time an enlisted man thereof distinguished himself has specifically recommended the award of a certificate of merit to that man, such certificate can not be granted to him upon the recommendation of any superior commander or of any other officer.

4. Consideration of cases will be confined to those in which a specific recommendation for the grant of a certificate was made or shall be made at the time of the act or within one year thereafter.

184. Recommendations for a certificate of merit must be based upon the statement of an eyewitness, preferably the immediate commander. The act or acts by which the enlisted man distinguished himself must be specifically described, and when the recommendation is made by a commissioned officer who was an eyewitness it must be so stated. When a commissioned officer was not an eyewitness, the testimony, when practicable, of at least two eyewitnesses who so describe themselves must accompany the recommendation. Each case will be submitted separately, and forwarded through the regular channels, with the views or recommendations of each commander indorsed thereon, including the commanding officer of the regiment, or chief of the corps to which the enlisted man belongs.

185. Extra pay at the rate of $2 a month from the date of the distinguished service is allowed to each enlisted man to whom a certificate of merit is granted.

186. If the soldier be out of the service when the certificate is issued it will be retained in the office of The Adjutant General of the Army until called for, when proof of the identity of the applicant will be required. Should he die before receiving his certificate, it will be deposited in the office of the Auditor for the War Department for delivery to those legally entitled to it.

187. Neither a medal of honor nor a certificate of merit will be awarded in any case when the service of the person recommended, subsequent to the time he distinguished himself, has not been honorable.

ARTICLE XXVI.

Territorial Divisions and Departments.

188. Territorial divisions and departments are established and their commanders assigned by direction of the President.

189. The commander of a territorial division or department commands all the military forces of the Government within its limits, whether of the line or staff, which are not excepted from his control by the War Department. The Army War College, the Army Staff College, the Engineer School, the Coast Artillery School, the Army School of the Line, the Army Signal School, and the Mounted Service School, in all that pertains to the courses of instruction or their separate organization and administration as schools, the United States Military Academy, the Army Medical School at Washington, D. C., the arsenals, the general depots of supply, the general service recruiting stations, general recruit depots, the United States Military Prison and any branch thereof, general hospitals, such permanent fortifications as may be in process of construc-

tion, and officers employed on special duty under the Secretary of War are excepted from the control of such commanders. But in the matter of trials by general court-martial all officers and enlisted men stationed within a department remain, notwithstanding the exemptions of this regulation, under the jurisdiction of the department commander, to whom charges will be forwarded through the usual channels. No order will be issued by the commander of any territorial department in the United States for the travel of an enlisted man beyond the limits of such department, except as provided in the Army Regulations, unless such commander is specially authorized to do so by the War Department.

The commander of any territorial division or department, unless otherwise directed by the War Department, will give the necessary orders providing for the payment of troops at posts or places, within the limits of his division or department, that are excepted from his control by the War Department.

When an emergency demands, all military men and material within the geographical limits of their commands come under the supervision of division and department commanders.

190. Purchasing commissaries and quartermasters, officers on duty at general depots of supply, and others indicated in the preceding paragraph, whether reporting by letter to department commanders or not, are subject to their orders for court-martial or other temporary duty, in an emergency only; such officers, together with those on duty directly connected with the schools mentioned in paragraph 189, shall not be detached without orders from the War Department.

191. The duties of the commander of the Philippines Division pertain to the higher functions of command. He originates, directs, or approves military operations within his several departments, and may transfer troops from one to another requiring reinforcements. He has supervision over all essentially military matters within his division not reserved to other authority; designates the time for target practice in his several departments, examines and consolidates reports of the same, and issues the necessary orders for holding target competitions within his division, and superintends, under direction of the War Department, garrison schools.

From his own inspections and those of his inspectors the division commander will from time to time convey to The Adjutant General of the Army such information of affairs in the division as may be useful to the War Department.

192. A department commander is charged with the administration of all the military affairs of his department, except as otherwise prescribed by Army Regulations. He will report to The Adjutant General of the Army all matters relating to the general welfare of the command, including such changes of stations of troops as he may deem desirable, but will obtain the approval of the War Department before ordering the movement. Whenever the stations of troops are changed, either permanently or temporarily, in a department within the United States, the department commander will immediately report by telegraph the time of departure and strength of the command to The Adjutant General of the Army. He will make a similar report when the troops arrive at the new station. If it is necessary to move troops to meet emergencies, such movements and all the circumstances will be reported at the earliest possible moment. He will have immediate charge of the inspections necessary to carry out, for all the organized militia belonging within the limits of his department, the provisions of section 14 of the militia act approved January 21, 1903; and to assist in this duty all officers of the Army, active and retired, on duty with the organized militia within the limits of his department will report to him and will send through him their reports of inspections under said section 14. Reports and returns of the organized militia which may be required under the provisions of section 12 of the act of January 21, 1903, will be referred by the War

Department to the department commanders for their information, and will be returned to the War Department for file. He will designate the time for target practice, examine and consolidate reports of the same, and issue the necessary orders for holding target competitions within his department, and, under the direction of the War Department, will superintend garrison schools, except those under the superintendence of a division commander.

193. Each department commander will inspect the troops under his command at least once each year, and for this purpose he may be accompanied by one officer of his personal or the department staff. He will assure himself by personal examination and observation that all officers and men under his control are efficient in the performance of duty; that the troops are thoroughly drilled and instructed in their field duties and tactical exercises; that supplies are properly distributed; that proper care is exercised in the purchase and preservation of public property; and that strict economy is exercised in all public expenditures. In his annual report the results of these inspections will be summarized. From time to time he will report, for the information of the War Department, the names of any and all officers belonging to his command who are believed to be permanently incapable, from any cause, of performing the duties of their several grades, both in garrison and in active service. He will also report any errors, irregularities, or abuses requiring the action of higher authority.

194. Division and department commanders are expected to determine controversies arising within the limits of their jurisdiction and decide questions referred to them on appeal.

195. In the event of the death, or disability, of the permanent commander of a territorial division or department, or his temporary absence from the limits of his command, the senior line officer present and on duty therein will exercise the command of the division or department, unless otherwise ordered, until relieved by proper authority. Although a division or department commander may continue to discharge the more important functions of his command while absent from its territorial limits, his exercise of command and his absence therefrom require the sanction of higher authority. If intending to leave his headquarters for an absence within his division or department, he will report to the next higher commander his intention, his address during his absence, and the proposed duration thereof.

196. The staff of the commander of the Philippines Division will consist of his authorized personal aids and one officer from each of the following corps and departments: General Staff Corps, Adjutant General's Department, Inspector General's Department, Judge Advocate General's Department, Quartermaster's Department, Subsistence Department, Medical Department, Pay Department, Corps of Engineers, Ordnance Department, Signal Corps, and Coast Artillery Corps, and such additional staff officers as may be assigned by the War Department. The division commander will control matters of supply and administration within his command; and, in this division, correspondence with the War Department will be through the division commander. The division commander will devolve upon one of his personal aids or other officer of his staff the duties of inspector of small-arms practice.

197. A department commander's staff will consist of the authorized personal aids and one officer from each of the following corps and departments: General Staff Corps, Adjutant General's Department, Inspector General's Department, Judge Advocate General's Department, Quartermaster's Department, Subsistence Department, Medical Department, and Pay Department; and when necessary there will be assigned an engineer officer, an ordnance officer, a signal officer, and a coast artillery officer. The chief surgeon will, when practicable,

perform the duty of attending surgeon. The chief paymaster will make a portion of the payments in the command. The duties prescribed for the inspector of small-arms practice will be performed by an aid or other officer of the department commander's staff. The coast artillery officer will act in an advisory capacity to the department commander with respect to matters pertaining to the efficiency of coast artillery matériel and to the drill, instruction, and employment of coast artillery troops in connection with coast defense generally.

198. The staff of a general officer commanding a post will consist of the authorized personal aids and one officer from each of the following departments: The Adjutant General's Department, Quartermaster's Department, Subsistence Department, and Medical Department. These officers will also perform the duties of adjutant, quartermaster, commissary, and surgeon, respectively, of the post. When necessary an engineer officer, an ordnance officer, and a signal officer will also be assigned.

199. The official designation of the senior officers of the corps and departments on the staff of division or department commanders will be as follows:

Of the General Staff Corps, Chief of Staff; of the Adjutant General's Department, Adjutant General; of the Inspector General's Department, Inspector General; of the Judge Advocate General's Department, Judge Advocate; of the Quartermaster's Department, Chief Quartermaster; of the Subsistence Department, Chief Commissary; of the Medical Department, Chief Surgeon; of the Pay Department, Chief Paymaster; of the Engineer Corps, Chief Engineer Officer; of the Ordnance Department, Chief Ordnance Officer; of the Signal Corps, Chief Signal Officer; of the Coast Artillery Corps, Coast Defense Officer.

When one of the required staff officers is not assigned, or a staff officer is temporarily absent or disabled, the duties of his position will be performed by the assistant, if any, or by other members of the staff.

200. Funds for contingent expenses at division and department headquarters are allotted by the Secretary of War and placed to the credit of the adjutants general. The amount allotted will be apportioned by the division or department commander to the officers of the staff corps serving at his headquarters as the interests of the service dictate, and the adjutant general will make purchases and expenditures as those officers request, subject to the written approval of the division or department commander. Property so purchased will be taken up on the return of the adjutant general and transferred to the staff officers concerned, who will give duplicate receipts therefor, and it will then be dropped from the return of the adjutant general, who will file one set of receipts as retained vouchers and send the other to the respective chiefs of bureaus in which the staff officers are serving. On June 30 of each year all officers who have purchased or receipted for such property will make return therefor to the chiefs of their respective bureaus, to whose satisfaction expenditures, losses, etc., will be explained. An officer accountable for such property will take duplicate receipts therefor when relieved, and will forward one of them to the proper chief of bureau with the return which he will then render, and file the other with his retained papers.

ARTICLE XXVII.

Military Posts and Reservations.

POSTS.

201. Permanent military posts within the States composing the Union and the Territories contiguous thereto, including Alaska, will only be established with the express authority of Congress. Posts in the insular possessions of the

United States will be established under the direction of the Secretary of War. All military posts will be named by the Secretary of War.

202. Permanent posts will be styled "forts," and points occupied temporarily by troops "camps."

203. The commander of a post is responsible for its safety and defense, and for the discipline, drill, and instruction of his command, to which ends all other garrison duties will be made subservient. He will be responsible for the preservation and proper application of public property, for the strict enforcement of laws and regulations, and for the proper condition of quarters and defenses. He will make an inspection of his command on the last day of every month, will satisfy himself by frequent personal examination that the disbursements of all officers in charge of funds are in accordance with law and regulations and their accounts correctly stated, and will make such reports of these inspections and examinations as the department commander may direct.

General officers commanding posts will leave the details of administration to subordinate commanders as far as practicable. Thus the visits prescribed in paragraph 204, to be made by the post commander, and the action prescribed for the commanding officer in case of deserters in Article XIX, may be delegated to regimental or detached battalion commanders; regimental commanders should appoint summary courts for the trial of cases arising in their respective regiments; under paragraph 722, regimental and separate battalion commanders should appoint surveying officers for cases arising in their respective commands. A general officer commanding a post may authorize regimental or separate battalion commanders to approve requisitions for clothing, for allowances the amounts of which are fixed, and for such amounts of stationery as the post commander may prescribe.

204. The post commander and surgeon will make frequent visits during the month to the hospital, guardhouse, mess hall, mess rooms, and other buildings and rooms used by enlisted men.

205. An orderly observance of the Sabbath by the officers and men in the military service is enjoined. Military duty and labor on Sunday will be reduced to the measure of strict necessity.

206. The staff of a post commander will consist of such staff officers as are on duty at the post, and such line officers as may be required for staff duties. Their official designations will be as follows: Adjutant, quartermaster, commissary, surgeon, engineer officer, ordnance officer, and signal officer. The official address of the senior medical officer at a post will be—

THE SURGEON,
FORT ——— ———,

and in like manner the official addresses of the other staff officers of a post will be, respectively: The Adjutant, The Quartermaster, The Commissary, The Engineer Officer, The Ordnance Officer, and The Signal Officer, Fort ——— ———.

207. Expenditures of labor, money, or material upon posts will be strictly limited to the amounts allowed by law and regulations.

208. When practicable, temporary buildings for the use of the Army will be erected by its enlisted force, and necessary repairs of public buildings at garrisoned posts not appropriated for or specially authorized will be made by the troops.

209. Post commanders are authorized to assist mail contractors with Government transportation, provided it can be spared without detriment to the service, when, through accident or unavoidable casualty, they are deprived of the

means necessary to fulfill their contracts. Such assistance must cease as soon as the contractor can, by exercise of proper diligence, resupply himself with transportation. Receipts for the property loaned will be taken, which, in the event of its loss or damage, will be forwarded, with a report of facts, to The Adjutant General of the Army, that the amount involved may be collected from the contractor through the Post-Office Department.

210. At posts supplied with ordnance and with ammunition for the purpose, a morning and evening gun will be fired daily at reveille and retreat.

POST RECORDS.

211. The following-named books of record, reports, and papers will be kept at each post: A correspondence book, a consolidated morning report and a guard report, furnished by the Adjutant General's Department; a post exchange council book, furnished by the post exchange; a post council of administration book (ordinary blank book without special ruling), furnished by the Quartermaster's Department. A document file, copies of all returns and reports rendered (if not contained in document file), all orders received, in fine, all official papers that relate to post administration will be filed and preserved as a part of the post records. The records of post noncommissioned staff officers and of other enlisted men at posts not belonging to organizations serving thereat will be kept as provided for companies. The records will not be removed from the post except on its discontinuance. Commanding officers will see that the records are accurately kept and are properly transferred to their successors.

RESERVATIONS.

212. Department commanders will supervise all military reservations within the limits of their commands, and, if necessary, will use force to remove trespassers. No license or permission to any civilian to use or occupy any part of a reservation will be given, except by the Secretary of War, unless he be in the employ of the Government, or in the family or service of persons there employed.

213. Military posts, stations, and reservations having been selected for occupation by the military forces, not only for immediate and temporary use, but in most cases for occupation as long as the Government shall exist, department and post commanders are required to see that every consideration is given to their care, preservation, and adornment. They will not only be made useful and healthful to the garrisons, but be made attractive homes for the Army by every means available for that purpose. Commanding officers will give this subject their earnest attention and will make requisitions for such appliances as may be necessary in order to carry out the purpose of this regulation.

The grounds, as far as practicable, will be improved by utilizing such material as may be available for the purpose. The shrubbery, trees, and forests on the reservation will be kept properly pruned; brush and unsightly trees removed; vines, fruit, and ornamental trees planted and cultivated, and grounds properly ditched or drained. Live trees in the vicinity of the inhabited parts of a military reservation will not be cut down, except on the recommendation of the post council of administration, approved by the post and department commanders. Where reservations are of sufficient extent, and it is practicable, they will be stocked with game, and all native singing birds protected. Where required, requests will be made through the proper military channels to the War Department for supplies of seeds for grass, flowers, vines, fruit and ornamental trees.

214. Military posts temporarily evacuated by troops, and lands reserved for military use, will be under charge of the Quartermaster's Department. Permanent works of defense, however, and the lands appurtenant thereto, are under the supervision of the Engineer Department.

ARTICLE XXVIII.

Flags, Colors, Standards, and Guidons.

215. The flag of the United States has thirteen horizontal stripes, seven red and six white, the red and white stripes alternating, and the union of the flag consists of white stars in a blue field placed in the upper quarter next the staff, and extending to the lower edge of the fourth red stripe from the top. The number of stars is the same as the number of States in the Union. On the admission of a State into the Union, one star will be added to the union of the flag, and such addition will take effect on the 4th day of July next succeeding such admission.

216. The field or union of the national flag in use in the Army will consist of 46 stars, in six rows, the first, third, fourth, and sixth rows to have 8 stars, and the second and fifth rows 7 stars each, in a blue field, arranged as follows:

217. The flag of the President shall be of blue bunting, with the official coat of arms of the United States of suitable size in the center, and shall be 10.20 feet hoist, 14.40 feet fly.

218. The colors of the President shall be of scarlet silk, 6 feet 6 inches fly, and 4 feet on the pike, which shall be 11 feet long, including the ferrule and head. The head shall consist of a globe, 2 inches in diameter, surmounted by an American eagle, alert, $5\frac{3}{8}$ inches high. In each of the four corners shall be a 5-pointed white star with one point upward, the points of each star to lie in the circumference of an imaginary circle of $2\frac{1}{2}$ inches radius. The centers of these circles are 9 inches from the short sides and 7 inches from the long sides of the color. In the center of the color shall be a large fifth star, also of 5 points, which lie in the circumference of an imaginary circle of $16\frac{1}{2}$ inches radius. The center of this circle is the point of intersection of the diagonals of the color. The reentering angles of this large star lie in the circumference of an imaginary circle of 8 inches radius, with the same center as before. Inside of the star thus outlined is a parallel star, separated from it by a band of white $1\frac{1}{2}$ inches wide. This inner star forms a blue field, upon which is the official coat of arms of the United States, the device being located by placing the middle point of the line dividing the chief from the paleways of the escutcheon upon the point of intersection of the diagonals of the color. On the scarlet field around the larger star are other white stars, one for each State, equally scattered in the reentering angles, and all included within the circumference of an imaginary circle of $19\frac{1}{2}$ inches radius, whose center is the center of the large

star. The device, letters, and stars are to be embroidered in silk, the same on both sides of the color; the edges to be trimmed with knotted fringe, of silver and gold, 3 inches wide; the cord 8 feet 6 inches long, having two tassels, and composed of red, white, and blue silk strands.

219. The flag of the Secretary of War shall be of scarlet bunting, measuring 12 feet fly and 6 feet 8 inches hoist. In each of the four corners shall be a 5-pointed white star with one point upward, the points of each star to lie in the circumference of an imaginary circle of 5 inches radius; the centers of these circles to be 17 inches from the short sides and 12 inches from the long sides of the flag. In the center of the flag shall be the official coat of arms of the United States, of suitable size.

220. The flag of the Assistant Secretary of War shall be of white bunting, measuring 12 feet fly and 6 feet 8 inches hoist. In each of the four corners shall be a 5-pointed scarlet star with one point upward, the points of each star to lie in the circumference of an imaginary circle of 5 inches radius; the centers of these stars to be 17 inches from the short sides and 12 inches from the long sides of the flag. In the center of the flag shall be the official coat of arms of the United States, of suitable size.

221. The colors of the Secretary of War shall be of scarlet silk, 5 feet 6 inches fly, 4 feet 4 inches on the pike, which shall be 9 feet long, including ferrule and spearhead. In each of the four corners shall be a 5-pointed white star with one point upward, the points of each star to lie in the circumference of an imaginary circle of $2\frac{1}{2}$ inches radius; the centers of these circles to be 13 inches from the short sides and $7\frac{1}{2}$ inches from the long sides of the color. In the center shall be placed in colors the official coat of arms of the United States, the device, letters, and stars to be embroidered in silk on both sides of the color; the edges to be trimmed with knotted fringe of white silk 3 inches wide; the cord 8 feet 6 inches long, having two tassels, and composed of white and scarlet strands.

222. The colors of the Assistant Secretary of War shall be of white silk, 5 feet 6 inches fly, 4 feet 4 inches on the pike, which shall be 9 feet long, including spearhead and ferrule. In each of the four corners shall be a 5-pointed scarlet star, one point upward, the points of each star to lie in the circumference of an imaginary circle of $2\frac{1}{2}$ inches radius; the centers of these circles to be 13 inches from the short sides and $7\frac{1}{2}$ inches from the long sides of the color. In the center shall be placed in colors the official coat of arms of the United States, of suitable size; the device, letters, and stars to be embroidered in silk on both sides of the color; the edges to be trimmed with knotted fringe of scarlet silk 3 inches wide; a cord 8 feet 6 inches long, having two tassels, and composed of white and scarlet silk strands to be placed on the pike.

223. The garrison, post, and storm flags are national flags, and shall be of bunting. The union of each is as described in paragraph 216, and shall be one-third the length of the flag.

The garrison flag will have 36 feet fly and 20 feet hoist. It will be furnished only to posts designated in orders from time to time from the War Department, and will be hoisted only on holidays and important occasions.

The post flag will have 20 feet fly and 10 feet hoist. It will be furnished for all garrisoned posts, and will be hoisted in pleasant weather.

The storm flag will have 8 feet fly and 4 feet 2 inches hoist. It will be furnished for all occupied posts for use in stormy or windy weather. It will also be furnished to national cemeteries.

224. A recruiting flag and an advertising flag will be furnished for general recruiting stations.

The recruiting flag will be of the same description and dimensions as the storm flag, except that it will be provided with an incased lath to keep the flag from tangling while displayed with staff horizontal.

The advertising flag will have 8 feet fly and 4 feet 6 inches hoist. It will be of blue bunting, with an incased lath to prevent tangling, and will bear on both sides of the flag the following inscription in bleached muslin letters:

MEN WANTED
FOR THE
UNITED STATES
ARMY.

225. The flag of the Geneva Convention, to be used in connection with the national flag in time of war with a signatory of the convention, will be as follows:

For general hospitals, white bunting, 9 by 5 feet, with a red cross of bunting 4 feet high and 4 feet wide in the center; arms of cross to be 16 inches wide.

For field hospitals, white bunting, 6 by 4 feet, with a red cross of bunting 3 feet high and 3 feet wide in the center; arms of cross to be 12 inches wide.

For ambulances and guidons to mark the way to field hospitals, white bunting, 28 by 16 inches, with a red cross of bunting 12 inches high and 12 inches wide in the center; arms of cross to be 4 inches wide.

226. Battalions of Engineers.—The national color shall be of silk, 5 feet 6 inches fly, 4 feet 4 inches on the pike, which shall be 9 feet long, including spearhead and ferrule; the union to be 2 feet 6 inches long, with stars embroidered in white silk on both sides of the union; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide; the cord 8 feet 6 inches long, having two tassels, and composed of red, white, and blue silk strands. The official designation of the battalion will be engraved on a silver band placed on the pike. The battalion color shall be of scarlet silk of the same dimensions as the national color, having embroidered upon it in colors the official coat of arms of the United States, of suitable size. Below the coat of arms in the middle shall be embroidered, in white silk, the insignia of the Corps of Engineers and also an outlined scroll bearing the inscription, "—— Battalion, U. S. Engineers;" the edges to be trimmed with knotted fringe of white silk 2½ inches wide; cord and tassels same size as national color, to be of white and scarlet silk strands; both sides of color to be embroidered alike.

227. Engineer Regiments.—When engineer troops are organized into regiments battalion colors will not be used, but the following colors will be used by the regiment:

The national color shall be the same as prescribed in paragraph 226, except that the inscription on the name plate shall be "—— U. S. Engineers." The regimental color shall be the same as battalion color prescribed in paragraph 226, except that the inscription on the scroll shall be "—— U. S. Engineers."

228. Coast Artillery Corps.—The national color shall be as prescribed in paragraph 226, the official designation of the artillery district to be placed on the silver band.

The corps color, of the same dimensions as national color, shall be of scarlet silk, having embroidered upon it in colors the official coat of arms of the United States, of suitable size. Below the coat of arms, in the middle, will be embroidered in yellow silk two cannons, crossed; also a scroll embroidered in yellow silk and bearing the inscription, "U. S. Coast Artillery Corps," embroidered in red silk; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide; cord and tassels same size as those of national color, to be of red and

yellow silk strands. One set of national and corps colors shall be issued to the headquarters of each artillery district.

229. INFANTRY REGIMENTS.—The national color shall be as prescribed in paragraph 226, the official designation of the regiment to be placed on the silver band.

The regimental color, of same dimensions as national color, shall be of blue silk, having embroidered upon it in colors the official coat of arms of the United States, of suitable size. Below the coat of arms shall be placed a scroll embroidered in red silk, bearing the inscription, "—— U. S. Infantry," embroidered in white silk; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide; cord and tassels same size as those of national color, to be of blue and white silk strands.

230. STANDARDS FOR CAVALRY REGIMENTS.—The national standard shall be the national flag of silk, 4 feet fly, and 3 feet on the lance, which shall be 9 feet 6 inches long, including spearhead and ferrule; the union to be 22 inches long, with stars embroidered in white silk on both sides of the union; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide; the official designation of the regiment to be engraved on a silver band placed on the lance.

The regimental standard, of same dimensions as the national standard, shall be of yellow silk, having embroidered upon it in colors the official coat of arms of the United States, of suitable size. Below the coat of arms shall be placed a scroll embroidered in red silk and bearing the inscription, "—— U. S. Cavalry," embroidered in yellow; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide.

231. STANDARDS FOR FIELD ARTILLERY REGIMENTS.—The national standard shall be as described in paragraph 230.

The regimental standard, of the same dimensions as the national standard, shall be of scarlet silk, having embroidered on it in colors the official coat of arms of the United States, of suitable size. Below the coat of arms shall be placed a scroll embroidered in yellow silk and bearing the inscription, "—— U. S. Field Artillery," embroidered in scarlet; the edges to be trimmed with knotted fringe of yellow silk 2½ inches wide.

232. COLORS AND STANDARDS.—The silken national and regimental colors or standards shall be carried in battle, campaign, and on all occasions of ceremony at regimental headquarters in which two or more companies of the regiment participate.

A similar rule applies to the use of the silken colors of the battalion of engineers and of the artillery districts.

When not in use as prescribed in this paragraph, colors and standards will be kept in their waterproof cases.

233. SERVICE COLORS AND STANDARDS.—A national color or standard made of bunting or other suitable material, but in all other respects similar to the silken national color or standard, shall be furnished as follows: To each battalion of engineers, one color; to each regiment of infantry, one color for each battalion; to each artillery district, one color for each post where two or more companies are stationed; to each regiment of cavalry, one standard for each squadron; to each regiment of field artillery, one standard for each battalion. The official designation of the regiment of infantry, cavalry, or field artillery, of the battalion of engineers, or of the artillery district, will be engraved on a silver band placed on the pike or lance.

These colors and standards are for use at drills, and on marches, and on all service other than battles, campaigns, and occasions of ceremony; but battalions and squadrons detached from regimental headquarters, and garrisons of

coast artillery posts other than district headquarters, may use them upon all occasions. Not more than one national color or standard will be carried when the regiment or any part of it is assembled.

234. COLORS FOR BATTALIONS OF PHILIPPINE SCOUTS.—The national service color prescribed in paragraph 233 will be used on all occasions. The official designation of the battalion will be engraved on a silver band placed on the pike or lance.

235. GUIDONS FOR CAVALRY.—Each troop of cavalry will have a silken guidon, cut swallow-tailed, 15 inches to the fork, 3 feet 5 inches fly from lance to end of swallowtail, and 2 feet 3 inches on the lance, having two horizontal stripes each one-half the width of the flag, the upper red and the lower white, the red stripe having on both sides in the center the number of the regiment in white silk, and the white stripe the letter of the troop in red silk, the letter and number block shaped, 4¾ inches high, the lance 1¼ inches in diameter and 9 feet long, including spear and ferrule. Each troop will also have a service guidon, made of bunting or other suitable material, in shape and design the same as the silken guidon; the latter will be used only in battle, campaign, or on occasions of ceremony.

236. GUIDONS FOR FIELD ARTILLERY.—Each battery of field artillery will have a guidon of scarlet silk, dimensions and shape same as described for cavalry guidons, in the center on both sides of the guidon two crossed field guns, about 14½ inches in length, with number of regiment in the upper and letter of battery in the lower angle; field guns, number, and letter to be of yellow silk, number and letter block shaped, 4½ inches high; lance same as for cavalry guidon. This silken guidon will be used only in battle, campaign, or on occasions of ceremony. Each battery will also have a service guidon of bunting or other suitable material, in shape and design the same as the silken guidon.

237. GUIDONS FOR ENGINEERS.—Each mounted section of engineers will have a guidon of scarlet silk, of triangular shape, 4 feet fly from lance to apex of triangle, and 2 feet 3 inches on the lance; on both sides of the guidon a castle about 14 inches in length and 7 inches from lance, embroidered in silver, with the letter of the company above the center tower of the castle; the letter embroidered in silver, block shaped, and 4¾ inches high; the lance 1¼ inches in diameter and 9 feet long, including spear and ferrule. Each company will also have a service guidon, made of bunting or other suitable material, in shape and design the same as the silken guidon.

238. GUIDONS FOR SIGNAL CORPS.—Each mounted company of the Signal Corps will have a guidon of orange silk, dimensions and shape same as described for cavalry guidons; in the center on both sides of the guidon two crossed flags 6 inches square of white silk, with centers 2 inches square of scarlet silk, having staffs 15 inches in length of yellow silk; the letter of the company, of white silk, block shaped, 4½ inches high, to be placed above the crossed flags; lance same as for cavalry guidon. This silken guidon will be used only in battle, campaign, or on occasions of ceremony. Each mounted company of the Signal Corps will also have a service guidon, made of bunting or other suitable material, in shape and design the same as the silken guidon.

239. Whenever in the opinion of a commanding officer the condition of any silken color, standard, or guidon in the possession of his command has become unserviceable, a surveying officer will be appointed to report, for the information of the Secretary of War, its condition and the necessity of supplying a new one. If requiring repair, application to have it placed in a serviceable condition should be made to the Quartermaster General. Service colors and

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guidons will be submitted for the action of an inspector when unfit for further use. Upon receipt of new silken colors, standards, or guidons commanding officers will cause those replaced to be numbered and retained by the organization to which they belong as mementos of service, a synopsis of which, bearing the same number, will be filed with the records of the organization.

240. Boat flags and pennants for the use of officers of the Army when making official visits by water are authorized as follows:

For general officers.—A flag of scarlet bunting, rectangular in shape, 3 feet hoist and 4 feet 9 inches fly; the rank to be indicated by white stars of suitable size placed in the center line of the length of the flag; for a brigadier general, one star; for a major general, two stars, and for the Lieutenant General, three stars.

The Chief of Coast Artillery and the chiefs of bureaus of the War Department will use the general officer's flag with the appropriate number of stars.

For artillery district commanders.—A flag of scarlet bunting, rectangular in shape, 1 foot 6 inches hoist and 2 feet fly for small boats and launches and 2 feet 3 inches hoist and 3 feet fly for larger boats. In the center, on both sides, crossed cannon in yellow, with a medallion at their intersection, in scarlet, having an oblong projectile in yellow.

For post commanders.—A pennant of bunting, triangular in shape, 1 foot hoist and 3 feet fly; the third nearest the staff to be a blue field bearing thirteen white stars and the remaining two-thirds to be scarlet.

The truck of the staff for general officers, artillery district commanders, and post commanders above the rank of captain to be a gilt ball, and for post commanders of lower grade to be flat.

241. Camp colors will be as described for flags, printed upon bunting, 18 by 20 inches, on a pole of ash 8 feet long and 1⅛ inches in diameter, the butt end armed with a pointed ferrule.

242. Whenever provisional divisions and brigades are organized for purposes of instruction, the headquarters of opposing forces are marked by blue and red banners, respectively. Headquarters of organizations may be marked, according to the force to which they belong, by blue or red flags or pennants with appropriate insignia stenciled on them with white paint.

Dimensions:

Division flag: Four feet hoist, 6 feet fly.

Brigade pennant: Swallow-tailed, 4 feet hoist, 5 feet fly.

The chief umpire's flag will be made of white bunting, crossed diagonally from corner to corner with two stripes of red bunting, 8 inches wide; same size as division flag.

Flags and pennants for headquarters of opposing forces and organizations will be extemporized in camps of instruction from material furnished by the Quartermaster's Department.

243. No ensign, pennon, streamer, or other banner of any kind other than the flags, colors, standards, pennants, and guidons prescribed by the Army Regulations or otherwise authorized by the War Department will be used by the Army or by any regiment or other organization thereof.

ARTICLE XXIX.

Regiments and Battalions.

244. In the cavalry, field artillery, and infantry arms the regiment is the administrative unit. The headquarters of the regiment are at the station of the permanent regimental commander; in his absence the command of the

regiment devolves upon the senior officer on duty with it wherever he may be stationed. The regiment is composed of two or more battalions which, in turn, are composed of two or more companies. The battalion, in a regiment, is not an administrative unit and has no separate records; it is purely a tactical unit conveniently organized for instruction or maneuver, and particularly for combat, either as an integral part of the regiment to which it belongs or separated from it. It is appropriately commanded by a field officer, normally a major, regularly assigned in orders. In the absence of its regular commander the command devolves upon the senior officer of the battalion on duty with it, unless a field officer has been assigned as contemplated in paragraph 247. Whenever incomplete battalions of the same or different regiments are serving together, the commanding officer may designate provisional battalions, and similarly, in the case of incomplete regiments, he may designate provisional regiments. The regulations relating to regiments apply to battalions not organized into regiments unless otherwise specially provided.

245. A regimental commander should continually labor for the instruction and efficiency of his regiment. He should encourage among his officers harmonious relations and a friendly spirit of emulation in the performance of duty. His timely interference to prevent disputes, his advice to the inexperienced, and immediate censure of any conduct liable to produce dissension in the regiment or to reflect discredit upon it, are of great importance in securing and maintaining its efficiency. In such efforts he will receive the loyal support of his subordinates. He will supervise the instruction of the officers of his immediate command and make an inspection of such command on the last day of every month.

246. Each division commander, and the commander of each department not part of a division, will announce in orders annually the period of the year to be given to practical instruction in drill and other military exercises, prescribing their character and the time to be devoted thereto. They will also designate the period in each year for theoretical instruction, to be conducted in accordance with orders from the War Department; but in posts commanded by general officers the foregoing subjects will be left to the discretion of the post commanders, who will also supervise the instruction of officers under their immediate command. All other post commanders will supervise the instruction of the officers under their immediate command, subject to the direction of department commanders. Each company commander is responsible for the practical and theoretical instruction of his noncommissioned officers.

247. Field officers of the line of the Army are assigned by the department or other commander to stations or commands where their services are most required, and are there assigned to appropriate duties by the commanding officer, preferably with troops of the units to which they belong. A lieutenant colonel may be appropriately assigned to the command of any part of a regiment larger than a battalion, or to the command of a battalion in the absence of its major.

248. The regimental staff officers are appointed from the captains, and consist of the adjutant, the quartermaster, and the commissary, and they will be so designated, respectively. They are appointed by the regimental commander, who will at once report his action to The Adjutant General of the Army. The battalion staff officers consist of the adjutant and the quartermaster and commissary, and will be designated as the battalion (or squadron) adjutant and the battalion (or squadron) quartermaster and commissary, respectively. In the cavalry and infantry arms the battalion adjutant will be appointed from the first lieutenants and the battalion quartermaster and commissary from the second lieutenants. In the engineer and field artillery arms, battalion adjutants are appointed from the captains, battalion quartermasters and com-

missaries from the lieutenants. Except in the battalions of engineers they are appointed by the regimental commander after consultation with the battalion commander. When a battalion is detached and serving at such a distance from regimental headquarters that more than fifteen days are required for exchange of correspondence by mail, the battalion staff officers are appointed by the battalion commander, who will immediately notify the regimental commander and The Adjutant General of the Army. In the battalions of engineers they are appointed by the battalion commanders. Appointments of staff officers will not be antedated and will take effect on the day on which actually made. A regimental staff officer will be entitled to the pay pertaining to his appointment from the date on which he reports for duty at regimental headquarters, a battalion staff officer from the date on which he reports for duty at the station of a company of his battalion, whether such company be stationed at the post of the battalion commander or not. This date will be noted on the post return for the month in which the officer reports, and on his pay voucher for the same month.

249. The tour of duty of a staff officer of a regiment, artillery district, or battalion not forming part of a regiment, is limited to four years, and having completed a tour, an officer will not be eligible for a second tour until he shall have served two years as a company officer. The tour of duty of a staff officer of a battalion forming part of a regiment is limited to two years, and having completed a tour, an officer will not be eligible for a second tour until he shall have served two years as a company officer.

250. All staff appointments in a regiment are restricted to the officers on duty with it and who are not serving at a school of instruction. Should the regimental commander desire to appoint an absent officer to the regimental staff he may apply for orders for the absent officer to join, but the officer must join before the appointment can be made.

251. The adjutant, under the direction of the commanding officer, will have charge of the various rosters of service; he will make, publish, and verify all details, keep the records of the regiment, and perform such military duties with troops as are required by regulations. Through him the commanding officer communicates with the officers and men of his command.

252. The adjutant should be courteous to and on friendly terms with the officers of the command he represents, and will avoid all discussions of the orders or military conduct of his superiors. He should inform himself upon all points of military usage and etiquette, and on proper occasions aid with his advice and experience the subalterns of the regiment, especially those just entering the service. He will endeavor at all times to exert the influence belonging to his station in sustaining the reputation, discipline, and harmony of the command.

253. The adjutant, quartermaster, and commissary, under the regimental commander, are responsible for the discipline and efficiency of the noncommissioned staff and band.

254. The quartermaster will perform the duties of quartermaster of the regiment when in the field, and may be required to perform the duties of quartermaster of the post where he is stationed. The commissary will perform the duties of commissary of the regiment when in the field, and may be required to perform the duties of commissary of the post where he is stationed.

255. A regimental staff officer may be assigned to duty with a company or to any staff duty which his regimental commander may impose. A battalion staff officer is subject to any duty which the commanding officer may impose.

256. The regimental noncommissioned staff officers consist of the sergeant major, the quartermaster sergeant, commissary sergeant, and two color

sergeants, and are appointed by the regimental commander. The battalion noncommissioned staff officers are the battalion sergeants major, and in engineer and field artillery troops, battalion quartermaster sergeants. They are appointed by the regimental commander after consultation with the battalion commander. When a battalion is detached from regimental headquarters the battalion noncommissioned staff officers are appointed temporarily by the battalion commander, who will immediately notify the regimental commander, and such temporary appointment will be in full force and effect from the date it is made and will continue in full force and effect from that date if it be approved by the regimental commander. If the regimental commander disapproves the appointment, then the increased rank and pay will cease upon receipt by the battalion commander of notice of such disapproval. Each noncommissioned staff officer will be furnished with a warrant signed by the regimental commander and countersigned by the regimental adjutant. The appointment takes effect on the day upon which it is made and the warrant may be continued in force upon discharge and reenlistment, if reenlistment be made on the day following that of discharge; each reenlistment and continuance will be noted on the warrant by the adjutant. Any noncommissioned staff officer may be reduced to the ranks by the sentence of a court-martial, or by order of the commander having final authority to appoint such noncommissioned officer. Noncommissioned staff officers will preferably be selected from the noncommissioned officers of the regiment who are most distinguished for efficiency, gallantry, and soldierly bearing.

257. The public property pertaining to the headquarters of the regiment will be marked "H. Q.," with arm and number of regiment. Haversacks, canteens, and similar articles of equipment in possession of the noncommissioned staff and band will be marked as follows: Cavalry equipments, crossed sabers, with number of the regiment above and "N. C. S." or "Band" below the intersection; field artillery equipments, crossed field guns, with the number of the regiment above and "N. C. S." or "Band" below the intersection; infantry equipments, crossed rifles, with the number of the regiment above and "N. C. S." or "Band" below the intersection; coast artillery corps equipments, crossed cannons, with "N. C. S." or "Band" below the intersection, and in the latter case the number of the band below the intersection and above the word "Band;" and equipments of the special corps of the Army, according to their respective devices. The design will be stenciled in black, the letters and numbers in full-faced characters. The design will be placed above the letters "U. S." on equipments and the soldier's number in characters one inch high below the letters "U. S."

258. The following-named books of record, reports, and papers will be kept in each regiment: A correspondence book and a morning report of the field, staff, and band, furnished by the Adjutant General's Department; a regimental fund book (ordinary blank book without special ruling), furnished by the Quartermaster's Department; a document file, a file of the regimental orders, all orders, circulars, and instructions from higher authority, copies of the monthly returns, muster rolls of the field, staff, and band, and other regimental returns and reports.

Of the books, reports, and papers herein referred to, the correspondence book, the document file, the muster rolls, the regimental monthly returns and all other returns of the personnel of the regiment, the general orders and circulars of the War Department, and regimental general orders will be permanently preserved. Division and department orders, except extracts of special orders, will, when the regiment is relieved from duty in the division or department, be disposed of under instructions of the division or department

commander. All other books, reports, and papers will be kept five years, reckoned from the close of the period of their use in case of books and reports and from their dates in case of papers, when they will be destroyed under the direction of the regimental commander.

259. All orders and circulars from the War Department, or from the headquarters of an army, corps, division, brigade, or territorial division or department in which the regiment may be serving, will be filed in book form, and general orders and circulars indexed as soon as received.

BANDS.

260. The noncommissioned officers of regimental bands will be appointed by the regimental commanders, upon the recommendation of regimental adjutants, under the same conditions prescribed in paragraph 256 for the noncommissioned staff of the regiment. The noncommissioned officers of the engineer band will be appointed by the commanding officer of the battalion with which the band is serving. The noncommissioned officers of the coast artillery corps bands will be appointed by artillery district commanders.

261. When a regiment occupies several stations the band will be kept at headquarters, provided one or more companies be serving there. The field musicians of companies will not be separated therefrom. The coast artillery corps and engineer bands will be assigned to stations by the War Department upon the recommendation of the chiefs of Coast Artillery and Engineers, respectively. Army bands or members thereof are prohibited by law from receiving remuneration for furnishing music outside the limits of military posts when the furnishing of such music places them in competition with local civilian musicians.

262. Musical instruments mentioned in paragraph 1195, extra parts therefor, and equipments for bands, including the issue quarterly of one-half ream of music writing paper, upright, 14 staves, size of paper $10\frac{1}{2}$ by $13\frac{1}{2}$ inches, and one-half ream of music writing paper, oblong, 16 staves, size of paper $13\frac{1}{2}$ by $10\frac{1}{2}$ inches, will be furnished by the Quartermaster's Department. Musical instruments other than those above referred to may be purchased from available regimental funds. The quartermaster will be accountable for band instruments furnished by the Quartermaster's Department; the adjutant for those purchased from the regimental funds.

263. Regimental commanders will notify The Adjutant General of the Army direct when field or band musicians are required.

264. Commanding officers will require bands to play national and patriotic airs on appropriate occasions. The playing of "The Star Spangled Banner" as a part of a medley is prohibited.

ARTICLE XXX.

Troops, Batteries, and Companies.

265. The details of captains on detached service away from their arm of the service will be limited, as far as practicable, to those required by law.

266. The commanding officer of a company is responsible for its appearance, discipline, and efficiency; for the care and preservation of its equipment; for the proper performance of duties connected with its subsistence, pay, clothing, accounts, reports, and returns.

267. In the absence of its captain, the command of a company devolves upon the subaltern next in rank who is serving with it, unless otherwise specially directed.

268. In the absence of all the officers of a company, the post commander will assign an officer, preferably of the same regiment, to its command. If there be no officer available, the fact will be reported to the department commander.

269. Captains will require their lieutenants to assist in the performance of all company duties, including the keeping of records and the preparation of the necessary reports and returns.

270. Noncommissioned officers will be carefully selected and instructed, and always supported by company commanders in the proper performance of their duties. They will not be detailed for any duty nor permitted to engage in any occupation inconsistent with their rank and position. Officers will be cautious in reproving them in the presence or hearing of private soldiers.

271. Company noncommissioned officers are appointed by regimental commanders, or temporarily appointed by battalion commanders, under the conditions stated in paragraph 256, on the recommendation of their company commanders; but in no case will any company organization have an excess of noncommissioned officers above that allowed by law. The noncommissioned officers of coast artillery corps companies, upon the recommendation of the company commanders, will be appointed by artillery district commanders.

272. To test the capacity of privates for the duties of noncommissioned officers company commanders may appoint lance corporals, who will be obeyed and respected as corporals, but no company shall have more than one lance corporal at a time, unless there are noncommissioned officers absent by authority, during which absences there may be one for each absentee.

273. The captain will select the first sergeant, quartermaster sergeant, and stable sergeant from the sergeants of his company, and may return them to the grade of sergeant without reference to higher authority.

274. Each noncommissioned officer will be furnished with a certificate or warrant of his rank, signed by the regimental commander and countersigned by the regimental adjutant; but a separate warrant as first sergeant, quartermaster sergeant, or stable sergeant will not be given. A warrant issued to a noncommissioned officer is his personal property. Warrants need not be renewed in cases of reenlistment in the same company, if reenlistment is made the day following the day of discharge, but may remain in force until vacated by promotion or reduction, each reenlistment and continuance to be noted on the warrant by the company commander. The warrants for noncommissioned officers of the coast artillery corps companies will be signed by the artillery district commander and countersigned by the district adjutant.

275. Appointments of company noncommissioned officers and acting cooks of the Hospital Corps will take effect on the day of appointment by the authorized commander, and of first sergeants, quartermaster sergeants, stable sergeants, chief mechanics, cooks, artificers, farriers, horseshoers, mechanics, saddlers, wagoners, musicians, trumpeters, and first-class privates on the day of appointment by the company commander; but in case of vacancy in a company absent from regimental and battalion headquarters a company commander may make a temporary appointment of a noncommissioned officer, which will carry rank and pay from the date of such appointment. Information of the appointment will be promptly sent to the regimental commander, and if he disapproves it the increased rank and pay will cease upon receipt by the company commander of such disapproval.

276. A noncommissioned officer may be reduced to the ranks by sentence of a court-martial, or, on the recommendation of the company commander, by the order of the commander having final authority to appoint such noncommissioned officer, but a noncommissioned officer will not be reduced because of absence on

account of sickness or injury contracted in the line of duty. If reduced to the ranks by sentence of court-martial at a post not the headquarters of his regiment, the company commander will forward a transcript of the order to the regimental commander. The transfer of a noncommissioned officer from one organization to another carries with it reduction to the ranks unless otherwise specified in the order by authority competent to issue a new warrant.

277. When a noncommissioned officer, while in arrest or confinement, is reduced by sentence of a court-martial, the date of the order publishing the sentence is the date of reduction. In all other cases reduction takes effect on the date of receipt of the order at the soldier's station.

The desertion of a noncommissioned officer vacates his position from the date of his unauthorized absence.

278. Chief mechanics, cooks, farriers, horseshoers, mechanics, artificers, saddlers, wagoners, musicians, trumpeters, and first-class privates are enlisted as privates, and after joining their companies are appointed by their respective company commanders. For inefficiency or misconduct they are subject to reduction by the same authority.

279. A soldier may, when necessary, be relieved from ordinary military duty to make, repair, or alter uniforms. The post council will fix the rates to be charged, which will not exceed the cost of doing such work at the clothing depot, and company commanders will cause to be deducted from the pay of enlisted men and turned over to the proper person the amount properly due therefor. The provisions of this paragraph will be construed to apply to civilian tailors, who conform to prices fixed by post council, as well as to enlisted men detailed for that duty by proper authority.

280. The following-named books of record, reports, and papers will be kept in each company: A correspondence book, a sick report, a morning report, and, in companies supplied with public animals, a file of descriptive cards of public animals, all to be furnished by the Adjutant General's Department; also a company council book (ordinary blank book without special ruling), to be furnished by the Quartermaster's Department.

There will also be kept, on blanks supplied by the Adjutant General's Department, a complete record, description, and accounts of all men who belong to or who have belonged to the company. A record of vaccinations will be kept on these blanks.

There will also be kept a document file, orders and instructions received from higher authority, and retained copies of the various rolls, reports, and returns required by regulations and orders.

Where copies of orders affecting the company are not supplied, the orders will be copied, if practicable, attested by the adjutant, and placed on the order file.

281. There will also be kept in each company or detachment retained copies of all returns of property pertaining to the company and full information respecting all quartermaster's supplies, showing list of articles, date of receipt, from whom received, and the name of the officer who signed the memorandum receipt therefor; also an account of all articles turned in, expended, stolen, lost, or destroyed; and the company or detachment commander will have a settlement with the quartermaster quarterly and when relinquishing his command.

Of the books, reports, and papers referred to in this and in the preceding paragraph, the correspondence book, the document file, the records of enlisted men as kept in descriptive and deposit books or on loose leaves, the muster rolls, the monthly returns, and all other returns of the personnel, and the general orders and circulars of the War Department will be permanently preserved. Division and department orders, except extracts of special orders, will

be disposed of under instructions of the division or department commander when the company is relieved from duty in the division or department.

The other books, reports, and papers will be kept five years, reckoned from the close of the period of their use in case of books and reports and from their dates in case of papers, when they will be destroyed under direction of the commanding officer.

The disposition of retained papers relating to an officer's accountability for public property is vested in the accountable officer.

282. A duty roster will be kept in each company on blank forms furnished by the Adjutant General's Department; used blank forms will be held one year and will then be destroyed.

INTERIOR ECONOMY OF COMPANIES.

283. Company, band, and detachment commanders will make a complete inspection of their organizations under arms every Saturday. They will also make a daily inspection of the men's quarters and kitchens, giving particular attention to cleanliness and the proper preparation of food, and noting whether all lamps in use have been cleaned, filled, and made ready for lighting, before dark. No one will be excused from Saturday inspection except the guard and the sick in hospital. Cavalry and field artillery will habitually be inspected mounted.

284. The company commander will cause the enlisted men of the company to be numbered and divided into squads, each under the charge of a noncommissioned officer. As far as practicable the men of each squad will be quartered together.

285. In quarters the name of each soldier will be attached to his bunk, arms will be kept in racks, and accouterments and sabers will be hung up by the belts.

286. Strict attention will be paid by company commanders to the cleanliness of the men and to the police of barracks or tents. The men will be required to bathe frequently. In garrison, and whenever practicable in the field, they will be required to wash their hands thoroughly after going to the latrines and before each meal, in order to prevent the transmission of typhoid fever and other diseases by germs taken into the mouth with food from unclean hands. The hair will be kept short and the beard neatly trimmed. Soiled clothing will be kept in the barrack bag.

287. A thorough police of barracks will precede the Saturday inspection. The chiefs of squads will see that bunks and bedding are overhauled, floors, tables, and benches scoured, arms and accouterments cleaned, and all leather articles polished.

288. Chiefs of squads will be held responsible for the cleanliness of their men. They will see that those who are to go on duty put their arms, accouterments, and clothing in the best order, and that such as have passes leave the post in proper dress.

289. Soldiers will wear uniform in camp and garrison. When on fatigue they will wear suitable fatigue dress.

290. Company commanders will see that all public property in the possession of enlisted men is kept in good order, and that missing or damaged articles are duly accounted for.

291. Company commanders are responsible for text-books and other official publications issued for the use of their companies.

292. Enlisted men will not take their arms apart except by permission of a commissioned officer under proper supervision, and only in the manner pre-

scribed in the descriptive pamphlet of the arm issued by the Ordnance Department. The polishing of blued or browned parts of small arms, rebluing or rebrowning, putting any portion of an arm in a fire, or removing a receiver from a barrel, is prohibited. The mutilation of any part by filing or otherwise, and attempts to beautify or change the finish, are prohibited. Pieces will be unloaded before being taken to quarters or tents, and as soon as the men using them are relieved from duty, unless otherwise ordered. The use of tompions in small arms is forbidden. The prohibition in this paragraph of attempts to beautify or change the finish of arms in the hands of enlisted men is not construed as forbidding the application of raw linseed oil to the wood parts of the arms. This oil is considered necessary for the preservation of the wood, and it may be used for such polishing as can be given by rubbing in one or more coats when necessary. The use of raw linseed oil only will be allowed for redressing, and the application for such purpose of any kind of wax or varnish, including heelball, is strictly prohibited.

293. It is forbidden to use any dressing or polishing material on the leather accouterments or equipments of the soldier, the horse equipments for cavalry, or the artillery harness, except the preparations supplied by the Ordnance Department for that purpose.

294. Equipments will be fitted to the men under the direction of an officer; all other changes are prohibited.

295. Articles of public property issued to a company for its exclusive use will be marked, when practicable, with the number or letter of the company and number and arm of the regiment. Such articles issued to an enlisted man (arms and clothing excepted) will be marked, when practicable, with the number of the man, letter or number of the company, and number of the regiment. Haversacks, canteens, and similar articles of equipment will be uniformly marked on the outside as follows: Cavalry equipments, crossed sabers, with the number of the regiment above and the letter of the troop below the intersection; field artillery equipments, crossed field guns, with the number of the regiment above and the letter of the battery below the intersection; infantry equipments, crossed rifles, with the number of the regiment above and the letter of the company below the intersection; coast artillery corps equipments, crossed cannons, with the number of the company below the intersection of the cannons; and equipments of the special corps of the Army, according to their respective devices. The design will be stenciled in black, the letters and numbers in full-faced characters. The design will be placed above the letters "U. S." on equipments, and the soldier's number in characters 1 inch high below the letters "U. S." Articles will not be marked with the number of the man in the Hospital Corps and Signal Corps, except the articles issued to men assigned to field companies of the Signal Corps.

MESSING AND COOKING.

296. In camp or barracks where companies are not joined in a general mess the company commander will supervise the cooking and messing of his men. He will see that his company is provided with at least two copies of the Manual for Army Cooks, and that suitable men in sufficient numbers are fully instructed in managing and cooking the ration in the field; also that necessary utensils and implements for cooking both in garrison and field in serviceable condition are always on hand, together with the field mess furniture for each man. At a post where all the companies are joined in a general mess the post commander will see that the instruction above mentioned is given. At such a post a company commander will confine his supervision of the mess of his

company to observation and to notifying the officer in charge in writing of anything requiring remedy. Should this officer fail to apply proper remedy, report may then be made to the post commander. A department commander will see that each company of his command has the necessary field practice each year.

297. Kitchens will be placed under the immediate charge of noncommissioned officers, who will be held responsible for their condition and for the proper use of rations. No one will be allowed to visit or remain in the kitchen except those who go there on duty, or are employed therein. The greatest care will be observed in cleaning and scouring cooking utensils.

298. Special regulations for soldiers' fare can not be made to suit each locality and circumstance. Personal care and judgment on the part of company officers are relied on to prevent waste or misuse. By due economy the ration allowance will provide sufficient variety of diet.

299. The Manual for Army Cooks contains comprehensive instructions in cooking, which will be observed as far as practicable.

300. The food of prisoners will be sent to their places of confinement when practicable, but post commanders may arrange to send prisoners, under proper guard, to their messes.

301. Kitchen and table ware and mess furniture will be supplied by the Quartermaster's Department. Allowances will be announced in orders. Post commanders will enforce rigid economy in regard to such property. Articles broken, lost, or damaged will be charged to individuals at fault. Such proportions of company allowances of fuel, illuminating supplies, brooms, and scrubbing brushes as may be necessary for the service of a general mess will be allotted by the post commander.

302. In the field the mess furniture of a soldier will be limited to one tin cup, knife, fork, and spoon, and such device for individual cooking as may be furnished by the Ordnance Department.

ARTICLE XXXI.

The Coast Artillery Corps.

THE CHIEF OF COAST ARTILLERY.

303. 1. It shall be the duty of the Chief of Coast Artillery to keep the Chief of Staff advised at all times of the efficiency of the personnel and matériel of the coast artillery, and he shall, as circumstances require, make such recommendations in reference thereto as shall in his judgment tend to promote efficiency.

2. He shall from time to time, and as frequently as conditions require, confer directly with the chiefs of bureaus of the War Department and advise them of all matters relating to coast artillery matériel or personnel that pertain to their respective branches of the service, which the experience and observation of the coast artillery arm of the service show to be of practical importance. In like manner he may correspond directly with the commandant of the Coast Artillery School, and with the president of the Coast Artillery Board, on coast artillery questions of a purely technical character which do not involve matters of command, discipline, or administration and do not relate to the status or interests of individuals.

3. He shall make recommendations as to the instruction of coast artillery officers and men, and as to examinations for appointment and transfer of officers to the coast artillery arm and for promotion therein, and shall recommend such examinations and such courses and methods of instruction in the Coast

Artillery School and elsewhere as he shall deem requisite to secure a thoroughly trained and educated force; to this end he is authorized to issue directly to coast artillery officers bulletins and circulars of information on current coast artillery matters of a purely technical character which do not involve matters of command, discipline, or administration and do not relate to the status or interests of individuals.

4. He is charged generally with the recommending of officers of coast artillery for special duty and assignment to coast artillery organizations and stations.

5. He shall be a member of the Board of Ordnance and Fortification and is by law a member of the General Staff Corps.

6. The office of the Chief of Coast Artillery will form a part of the office of the Chief of Staff and will not be an office of record except of correspondence authorized by section 2 of this paragraph. All other records pertaining to the performance of the duties of the Chief of Coast Artillery will be kept in the office of The Adjutant General of the Army, to whom all communications from the Coast Artillery Corps, intended for the War Department, except such communications as may be addressed directly to the Chief of Coast Artillery under section 2 of this paragraph, shall be addressed as required by paragraph 795.

7. Nothing in these regulations shall be deemed to relieve the commanders of the Philippines Division and the several military departments of the duties of inspection and command, or of the responsibility for the condition and efficiency of the matériel and personnel of the coast artillery in the division and the several departments as now provided by regulations.

THE ARTILLERY DISTRICT.

304. The artillery district, as an administrative unit, consists of one or more forts with their accompanying mine fields and land defenses. Artillery districts are established, their limits defined, and their headquarters designated in orders from the War Department.

The command of an artillery district devolves upon the senior coast artillery corps officer therein, who is responsible for its efficiency to division and department commanders and subject to their authority, and has control within the limits of the district of all matters relating to coast artillery instruction, drill, practice, and the procurement of coast artillery supplies and accessories. He will prescribe the hours of drill and instruction throughout the district.

The commanding officer of an artillery district may, with the sanction of the department commander, continue to exercise the more important functions of his command when temporarily absent from his district on artillery duty within the department.

305. All correspondence and reports relating to the coast artillery corps personnel or matériel will pass through artillery district headquarters.

306. The commander of an artillery district should continually labor for the instruction and efficiency of his command. He should encourage among his officers harmonious relations and a friendly spirit of emulation in the performance of duty. His timely interference to prevent disputes, his advice to the inexperienced, and immediate censure of any conduct liable to produce dissension in his command, or to reflect discredit upon it, are of great importance in securing and maintaining its efficiency. In such efforts he will receive the loyal support of his subordinates.

307. The artillery district staff consists of the adjutant, the quartermaster, the ordnance officer, and the artillery engineer. They are appointed from the officers serving in the district by the artillery district commander, who will confine his selection to the allowance published from time to time in orders from

the War Department. Should the officers selected be assigned to companies, application will be made for their transfer to the unassigned list. The names of the officers selected and any change in the officers on these duties will be promptly reported to The Adjutant General of the Army.

308. The artillery district adjutant is, under the artillery district commander, responsible for the discipline and efficiency of the coast artillery corps noncommissioned staff and band assigned to artillery district headquarters.

Master electricians, engineers, electrician sergeants, first class, electrician sergeants, second class, master gunners, and firemen are under the supervision of the artillery engineer of the artillery district or post to which they are assigned.

An artillery district staff officer may be attached to a company for duty or assigned to any staff duty by the artillery district commander.

309. The artillery district records consist of an order file, a correspondence book and document file, all orders, circulars, and instructions from higher authority, and all returns and reports concerning the district or affecting its personnel.

NONCOMMISSIONED STAFF OFFICERS.

310. The coast artillery corps noncommissioned staff officers consist of sergeants major, senior grade; master electricians; engineers; electrician sergeants, first class; electrician sergeants, second class; master gunners; sergeants major, junior grade, and firemen. They are appointed upon the recommendation of the Chief of Coast Artillery after due examination under rules announced from time to time by the War Department. They will be furnished with warrants signed by the Chief of Coast Artillery. The appointment takes effect on the day upon which it is made and the warrant may be continued in force upon discharge and reenlistment if reenlistment be made on the day following that of discharge; each reenlistment and continuance will be noted on the warrant by the artillery district commander and The Adjutant General of the Army will be informed of the fact. Master electricians; engineers; electrician sergeants, first class; electrician sergeants, second class, and master gunners, though liable to discharge for inefficiency or misconduct, will not be reduced. Any other coast artillery corps noncommissioned staff officer may be reduced to the ranks by the sentence of a court-martial or upon the recommendation of the artillery district commander approved by the Secretary of War.

Each noncommissioned staff officer of the Coast Artillery Corps changing station under proper orders upon arrival at his new station will report, through his commanding officer, to The Adjutant General of the Army the date on which he left his former station and the date on which he reported for duty at his new station. Similar report will be made both upon departure for and return from any detached duty, furlough, or other absence, except that when detached duty or other absence of a temporary character is directed by an artillery district commander, and involves duty within his district, the report will not be made. The report of departure on furlough will state the length thereof and the authority under which it is granted.

When a noncommissioned staff officer of the Coast Artillery Corps is discharged or reduced the officer under whose command he is serving will notify The Adjutant General of the Army as early as practicable of the date, place, and cause of discharge or reduction; in case of discharge the report will state whether or not the soldier reenlisted on the day following that of discharge.

311. A coast artillery corps noncommissioned staff officer will not be detailed upon any service not pertaining to his proper position unless the necessities of the service require such detail, in which case the commanding officer making

the detail will report the fact, with reasons therefor, on the noncommissioned staff officer's personal report.

The appropriate duties of coast artillery corps noncommissioned staff officers are announced from time to time in orders.

312. A coast artillery corps noncommissioned staff officer may be reenlisted provided he shall have conducted himself properly and performed his duties in a satisfactory manner. If, however, his commanding officer should not deem the reenlistment to be for the best interests of the service, he will communicate his reasons to The Adjutant General of the Army in time to receive the decision of the War Department before the soldier is discharged.

COAST ARTILLERY PRACTICE.

313. The details of the methods of conducting technical instruction, target practice, and competitions of the Coast Artillery Corps will be prescribed in orders and instructions from the War Department.

314. The allowance of ammunition for the instruction and practice of the coast artillery will be determined each year and announced in general orders from the War Department.

315. Targets and target material for coast artillery practice will be provided by the Ordnance Department. The Quartermaster's Department will furnish all necessary assistance in placing, removing, and storing targets.

ARTICLE XXXII.

COUNCILS OF ADMINISTRATION.

316. Post, post exchange, company, and mess councils of administration are assembled to audit the bakery, exchange, company, and mess funds, respectively, to ascertain and examine the sources from which and methods by which they have accrued, and to recommend expenditures therefrom. Post councils are also called to deliberate upon and recommend action, within the limits allowed by regulations, upon such subjects affecting the welfare and economy of the post as commanding officers may submit to them. The post treasurer, post exchange officer, and company commanders are, respectively, the custodians of the bakery, exchange, and company funds.

317. On the last day of each quarter, and when necessary, the post and general mess councils will be convened by the post commander. The post exchange and company councils will meet at the end of each month and when necessary. The mess, exchange, and company councils will also meet at the call of their presidents. The post council will consist of the three officers on duty at the post next in rank to the commander, or of as many as are available if less than three. If only the commanding officer be present, he will act. The post exchange council will consist of the officer in charge of the exchange and the commanding officer of each organization participating in the exchange. It may delegate to an executive committee of its own members the performance of such portion of the duties prescribed for the council as the council may decide. The company council will consist of all officers present for duty with the company, and the mess council of the commanders of the several companies participating in the general mess. The council to audit the hospital fund will consist of the three senior officers on duty at the hospital, or as many as are available if less than three. A formal order convening the company or post exchange council is not necessary.

318. The junior member of each council will record its proceedings in an appropriate book, to include a written certificate of the responsible officer that

the funds are on deposit in a reputable banking institution named in the certificate, or a statement that they have been exhibited to the council, which proceedings will be signed by the president and recorder. The post or other commander will require the proceedings to be kept as this regulation prescribes and will decide disagreements in those of company councils. Those of the post, exchange, and mess councils will be submitted to the post or other commander, who will sign his approval or objection in the council book. Should the post or other commander disapprove the proceedings, and the council, after reconsideration, adhere to its conclusions, a copy of the proceedings will be sent by the commanding officer to the department commander, whose decision thereon will be final. The final orders in each case will be entered in the council book.

319. The post council will fix laundry charges and prices charged by tradesmen for making and repairing uniforms of enlisted men.

320. The commanding officer who approves the appropriations of a council, and in the matter of the company fund the company commander, will be held responsible for all expenditures not made in accordance with regulations.

321. In case of loss of regimental, bakery, exchange, company, or mess funds, the circumstances will be carefully investigated and reported by the post council, with recommendation as to responsibility, for the decision of the department commander.

ARTICLE XXXIII.

Regimental, Bakery, Company, and Mess Funds.

GENERAL PROVISIONS.

322. The purchase from regimental, bakery, company, or mess funds of any article which can be obtained on requisition from a supply department is forbidden, except that, with the approval of the post commander, such articles may be purchased if necessity exists for their immediate use and they are not on hand for issue at the post.

323. No projects by which money will accrue will be entered upon under color of military control without specific authority from the War Department.

324. Under no circumstances will regimental, bakery, company, mess, hospital, post exchange, or band funds be taken away from the post where the organization to which they pertain is stationed, except as may be necessary to pay indebtedness or for deposit in a bank.

Should the officer who is custodian of any of these funds be absent from the post, on leave or otherwise, for any period beyond three and less than ten days, he will leave the funds with the officer acting in his place, taking memorandum receipt therefor. If an officer is to be absent for more than ten days he will regularly transfer the funds of which he is custodian to his successor.

Company, post exchange, bakery, and other funds authorized by paragraph 316 will, if deposited in a bank, be placed under their official designation, as, for example, Company Fund, Company B, 21st Infantry, and not to the credit of the officer who is custodian.

REGIMENTAL FUND.

325. This fund consists of the gross amounts received on account of the band, from post exchange profits, voluntary contributions, amounts retained for regimental use from proceeds of private engagements of the band, from sale of articles purchased, or from any other source. The adjutant will be the treasurer of the fund, and will disburse it under the direction of the regimental

commander for the promotion of the efficiency of the band and for such objects as facilitate the transaction of regimental business. A record of all receipts and expenditures and a complete list of property purchased will be kept in the regimental fund book.

326. In coast artillery corps commands to which bands are assigned the corresponding fund will be designated "The band fund," and will in all particulars be governed by the same rules as regimental funds, except that all funds, property, and records pertaining to this fund are transferred with the bands. The senior coast artillery corps officer of the command and his adjutant perform the duties prescribed for regimental commander and adjutant, respectively, in case of regimental funds. This fund will be kept distinct from the company fund of the band, authorized by paragraph 331.

BAKERY FUND.

327. The bakery will purchase flour required for baking bread from the commissary, bake it into one and two pound loaves and sell the bread by the pound, at the current cost price of flour in the commissary, to organizations, detachments, or individuals entitled to rations. Bread may be baked for sale to others connected with the military service at the post, and to post exchanges at a price fixed by the post council of administration. At the end of every quarter the post council will make an equitable distribution of the earnings of the bakery, and this action, when approved by the post commander, will be final. Bread will be sold by the bakery only. When enlisted men or others entitled to rations are allowed to mess separately from companies or organizations they will not be required to purchase bread from the bakery, but they will not be entitled to any share of the bakery profits. When troops are transiently at a post or station for a period of less than ten days they are not entitled to share in the bakery profits.

328. The bakery fund will be under the supervision of the post council, and will be collected and held by the officer appointed post treasurer by the post commander.

329. The post treasurer will open an account with the bakery fund, and will make payments therefrom in pursuance of specific appropriations by the post council, approved by the post commander. The account will at all times be subject to the post commander's inspection.

330. When an officer is relieved from duty as post treasurer, his accounts will be audited by the post council.

COMPANY AND MESS FUNDS.

331. The company fund, which will consist of the gross amounts of money received from all sources, is received by the company commander and, with the concurrence of the company council, is disbursed by him solely for the benefit of the company. The fund of the hospital, or of a detachment or band having a separate mess, is regarded as a company fund. Moneys accruing to the fund of a detachment of the Hospital Corps, together with the proceeds from the ration and savings account of the sick in hospital, and the commutation of rations paid to the surgeon conformably to paragraph 1234, belong to the hospital fund.

332. The company commander will keep an account of the company fund, which will be inspected by the post, regimental, battalion, or squadron commander at least once each quarter.

333. Extra compensation may be paid to enlisted men from company or general mess funds as follows: From a company fund, 25 cents a day to the head cook; from a general mess fund, not exceeding $2 a day, or from the general mess fund of a recruit depot, not exceeding $3 a day, to be apportioned by the mess council among the cooks and other necessary regular attendants. Of this $2 (or $3 at recruit depots) the mess council may allot to the mess steward (who may be a noncommissioned officer) a per diem of 50 cents, and in addition thereto a share of the remaining $1.50 (or $2.50 at recruit depots). One cook of a company and such of the regular attendants of a general mess as the commanding officer may designate will be inspected and mustered in the kitchen or mess hall. They may be excused from the ordinary post duties, but will attend target practice.

In case the mess stewards and cooks at recruit depots are graduates of the schools for bakers and cooks, extra-duty pay will be paid to them by the Subsistence Department at the following rates, approved by the Secretary of War: To mess stewards, $1 a day, and to cooks, 50 cents a day, and they will receive no further extra compensation.

334. An officer appointed by the post commander will, under his direction, conduct the general mess affairs, make necessary purchases, and have charge of the mess fund. Quarterly and when relieved he will submit to the mess council a statement of all business dealings and money transactions, with proper vouchers. Upon the call of the mess council he will furnish information regarding the condition and management of the mess. A company on taking the field or withdrawing from a general mess will be entitled to a just share of the fund thereof, to be determined by the mess council, approved by the post commander.

ARTICLE XXXIV.

Post Bakeries.

335. Bread will be baked in post bakeries when practicable. At all permanent posts a suitable building for baking bread will be provided by the Quartermaster's Department. Bake ovens and apparatus pertaining thereto will be provided by the Subsistence Department. The post treasurer, under the supervision of the commanding officer, will have charge of the bakery.

336. A competent enlisted man will be detailed as chief baker, and, if necessary, one or more enlisted men as assistant bakers.

337. Extra pay to post bakers will be paid from the bakery fund, and the following daily rates are authorized: To the chief baker at a post of two companies or less, 35 cents; three companies, 40 cents; four companies, 50 cents. To each necessary assistant, 10 cents less than the chief baker when the chief baker's pay is 40 cents or less, and 15 cents less when the chief baker's pay is 50 cents. At larger posts the chief baker may be paid not to exceed $1 per day, and the assistants less amounts, the rates to be fixed by the post council.

338. The expenses of the bakery will be restricted to the extra pay of the bakers, the purchase of articles necessary for making bread and utensils not furnished by the supply departments, and the cost of power used in the operation of authorized bread-making machinery. These expenses must be paid from the bakery fund.

339. The chief baker will be inspected and mustered at the post bakery. He may be excused from ordinary post duties, but will attend target practice.

340. The baking of bread by companies at posts is expressly forbidden.

ARTICLE XXXV.

Libraries, Reading Rooms, Post Laundries.

341. At each permanent post suitable rooms will be set apart for use as library, reading room, chapel, and school. The Quartermaster General will procure and forward to post libraries such newspapers and periodicals, and to post schools such schoolbooks, stationery, and school material for the use of enlisted men as are authorized by the Secretary of War. Newspapers and periodicals will not be taken from the library; schoolbooks will not be taken from the schoolroom except for the proper use of those attending the post school. These books and periodicals are intended especially for the use of enlisted men. Books for post chapel services are not furnished by the Government. The library and reading rooms may be used by officers in such manner as not to interfere with their use by enlisted men. The post commander will detail an officer as post librarian, who will have charge of the post library.

342. On June 30 of every year each officer in charge of a post or regimental library will forward, through regular channels, to The Adjutant General of the Army, a return of all books on hand in or pertaining thereto. Such books as are required by regulations to be accounted for on property returns and muster rolls shall not be included in the library returns. Post and regimental commanders will examine the returns and certify thereon that the books in the library are accounted for as required by orders and regulations.

343. Adjutants general of divisions and departments will, on June 30 of each year, render to The Adjutant General of the Army returns of all library books on hand in their charge. These returns will be in addition to the property returns required to be made by them under paragraph 200. The necessary blank forms for returns of books will be furnished by The Adjutant General of the Army, and the returns will be made in accordance with the directions printed upon the blanks.

344. When library books are damaged or lost, the fact will be reported to the commanding officer by the librarian, and the person responsible for the loss or damage will be required to replace the book by a new copy, or to pay its value in money to the librarian to enable him to procure one.

345. Valuable books pertaining to a post library which have become unserviceable by fair wear and tear will, when practicable, be repaired, and the cost of repair will be a proper charge against the funds of the post exchange.

346. Books received from the War Department will be promptly acknowledged and, together with all library books received from other sources, will be taken up on the return.

347. Inspectors general will, at the annual inspection of posts, examine the methods adopted for the care and preservation of the library, condemn and destroy such books as may be unserviceable and worthless, and note action in their reports of the inspections of the posts.

348. The necessary orders for the disposition of the books on hand when a post is abandoned or discontinued will be given by the War Department.

349. At any post where building material can be obtained without expense to the Government, and it is desired to erect buildings by labor of the troops for use as post exchanges, gymnasiums, bowling alleys, and other places of amusement, the post commander is authorized to use the necessary teams and such tools, window sash, doors, and other material as may be on hand and can be spared.

350. The Quartermaster's Department is authorized to transport gymnastic and athletic appliances, purchased with regimental or company funds, for the

use of troops, from the nearest market to the post or station of the troops. In all cases of necessary removal the articles supplied for use in bakeries, libraries, reading rooms, schools, and gymnasiums will also be transported by the Quartermaster's Department.

351. Post laundries are established and maintained under special regulations by the War Department.

The amount of indebtedness of a soldier to a post laundry contracted in accordance with such regulations will be noted on the pay rolls for the current month and on the muster rolls covering the period during which the indebtedness was contracted and will be deducted, if practicable, from his pay by the paymaster making the payment and turned over to the officer in charge of the laundry, who will duly receipt to the paymaster and the soldier for the amount so received. Where the soldier is detached the amount due the laundry will be noted on the detachment roll or descriptive list, and will be deducted by the paymaster at the next payment and forwarded to the officer in charge of the laundry in which the indebtedness was incurred. In case of the discharge of a soldier the amount of any such indebtedness will be noted on the final statements and will be similarly deducted from payment made thereon and transmitted to the officer in charge of the laundry.

ARTICLE XXXVI.

Post Gardens.

352. Commanding officers of posts at or near which suitable public lands are available will set aside for post gardens such ground as may be necessary for the production of vegetables for the command, and will cause it to be cultivated by the garrison; or if the commanding officer so elects, he may apportion it among the organizations for cultivation by them.

353. Seeds for post gardens may be procured from post exchange funds, or from company funds.

354. Department commanders will give such instructions as may be necessary for carrying these regulations into effect and for the proper distribution of products of gardens among those entitled to them. Surplus products may be sold and the proceeds divided among the company funds of the garrison according to strength of companies.

ARTICLE XXXVII.

Post Exchanges.

355. Post exchanges are established and maintained under special regulations issued by the War Department.

The amount of indebtedness of a soldier to a post exchange contracted in accordance with such regulations will be noted on the muster rolls and pay rolls for the next succeeding month and be deducted, if practicable, from his pay by the paymaster making the payment and turned over to the post exchange officer, who will duly receipt to the paymaster and the soldier for the amount so received. In case of discharge of a soldier the amount of any such indebtedness will be noted on the final statements, and in like manner be deducted from payment made thereon.

356. On June 30 and December 31 of each year the commanding officer of a post at which an exchange is conducted will submit to the adjutant general of the department a detailed report of the operations and financial condition of the

exchange, and when no exchange has been maintained at a post such fact will also be communicated on the dates stated.

357. The sale of, or dealing in, beer, wine, or any intoxicating liquors by any person in any post exchange or canteen or army transport, or upon any premises used for military purposes by the United States, is prohibited. Commanding officers will carry the provisions of this paragraph into full force and effect, and will be held strictly responsible that no exceptions or evasions are permitted within their respective jurisdictions.

ARTICLE XXXVIII.

Visits to Lake and Seacoast Defenses.

358. Commanding officers of posts at which are located lake or coast defenses are charged with the responsibility of preventing, as far as practicable, visitors from obtaining information relative to such defenses which would probably be communicated to a foreign power, and to this end may prescribe and enforce appropriate regulations governing visitors to their posts.

American citizens whose loyalty to their Government is unquestioned may be permitted to visit such portions of the defenses as the commanding officer deems proper.

359. The taking of photographic or other views of permanent works of defense will not be permitted. Neither written nor pictorial descriptions of these works will be made for publication without the authority of the Secretary of War, nor will any information be given concerning them which is not contained in the printed reports and documents of the War Department.

ARTICLE XXXIX.

Field Artillery, Machine Gun, and Small-Arms Practice.

360. Small-arms practice will be conducted and reports thereof made in accordance with the authorized firing manual and orders from the War Department.

361. The aggregate allowance of small-arms ammunition for any company will be expended at such times during the year as the department commander may direct, or, in the absence of specific directions, as the post and company commanders may determine. When not used in target practice, small-arms ammunition may, in the discretion of the post and company commanders, be expended in hunting.

362. In all classes of authorized target practice the Ordnance Department will provide the requisite targets, streamers, and flags. The quartermaster will set up the targets, prepare the range, and construct shelters for the markers. Flour for making paste for use in target practice will be issued by the commissary.

363. The details of the methods of conducting the technical instruction and target practice of field artillery troops and the target practice of troops charged with the service of machine guns will be announced in orders and instructions from the War Department.

364. The allowance of ammunition for small-arms practice, for the instruction of the field artillery, and for target practice with machine guns will be fixed in orders from the War Department.

365. Where hunting for large game is practicable the men will be encouraged to hunt, and for this purpose company commanders may permit their men to purchase cartridges, if the supply warrants it, such sales to be accounted for on the returns of ordnance.

ARTICLE XL.

Roster, Detachments, and Daily Service.

THE ROSTER.

366. A roster is a list of officers or men for duty, with a record of the duty performed by each. Generally details for duty are so made that the one longest off is the first for detail. Details so made are said to be made by roster.

367. All details for service in garrison and in the field, except the authorized special and extra-duty details, will be by roster; but officers or enlisted men when detailed must serve whether a roster be kept or not.

368. The duties performed by roster are of two classes. The first comprises (1) outposts; (2) interior guards, including stable guards; (3) detachments to protect laborers on military works; (4) armed working parties on such works. Soldiers march armed and, if necessary, fully equipped on all duties of this class. The second class comprises all other duties and fatigue, in or out of the garrison or camp. The rosters are distinct for each class.

369. Lieutenant colonels and majors are on one roster, and may be detailed when the importance of the duty requires it. In the field their roster is kept at division and brigade headquarters. Captains form one roster, and are exempt from ordinary fatigue duties. Lieutenants form one roster, but when conditions make it advisable captains and lieutenants may be placed on one roster, or one or more of the senior lieutenants may be placed on the captains' roster. Sergeants, corporals, musicians, and privates form distinct rosters.

370. Unless otherwise ordered by the commanding officer, officers, noncommissioned officers, and privates take duties of the first class in the order stated in paragraph 368, viz, the first for detail takes the outposts, the next the interior guards, and so on. In those of the second class the senior officer takes the largest party. The party first for detail takes the service out of camp.

371. In making details by roster, an officer or enlisted man is each day charged with the number of days that he has remained present and available since the beginning of his last tour. Departures from this rule may be authorized by the commanding officer whenever a strict application would allow improper advantage or work hardship.

372. When an officer has been detailed and is not present or available at the hour of marching, the next after him takes the duty. When an outpost has passed the chain of sentinels, or an interior guard has reached its post, the officer whose tour it was can not take it unless so ordered by the commanding officer.

373. Duties of the first class are credited on the roster when the guards or detachments have passed the chain of sentinels or an interior guard has reached its post; other duties, when the parties have entered upon their performance.

374. An officer or enlisted man on duty of the first class, or who is next for detail for such duty, is available, when relieved, for duty of the second class that has fallen to him during that time. Except in emergencies no duty will be required of the old officer of the day or the old guard until four hours after they have been relieved.

375. Detachments of the Signal Corps shall be exempt from detail for any other duty, except when in the judgment of the commanding officer the importance of the duty will not permit exemption.

DETACHMENTS.

376. As far as the exigencies of the service will permit, detachments for all service will be formed by taking battalions, companies, platoons, or other subdivisions in turn, according to the roster.

377. Officers or enlisted men detailed for detached service while on other duty will be relieved from that duty, if practicable, in time to march with the detachment.

378. When a detachment is to be formed from the different organizations of a command, the adjutant or adjutant general forms its contingent, verifies the details, and sends it to the place of assembly, or turns it over to the detachment commander.

379. When detachments meet, the command is regulated while they serve together as if they formed one command, but the senior officer can not prevent the commander of any detachment from moving when he thinks proper to execute the orders he has received.

380. On the return of a detachment its commander reports to the headquarters from which he received his orders.

DAILY SERVICE.

381. There will be daily at least two roll calls, viz, at reveille and retreat. Commanding officers may also order roll calls in special cases at such times as they deem necessary. The roll will be called on the company parade by the first sergeant, superintended by a commissioned officer. If companies are quartered together or in contiguous barracks, one officer may superintend the roll call of two or more of them, provided he can do so efficiently, commanding officers regulating the practice in this regard. Ordinarily there will not be any formation for roll call at tattoo, but the prescribed signal will be sounded, and fifteen minutes thereafter lights in squad rooms will be extinguished and all noises and loud talking will cease. Call to quarters will be sounded at 10.45 p. m., and taps at 11. At taps all lights not authorized by the commanding officer will be extinguished and the first sergeant or other noncommissioned officer, as the company commander may direct, will inspect each company and report to the officer of the day the names of all unauthorized absentees. Reveille roll call in garrison will not ordinarily take place earlier than 5.30 a. m. in summer, or 6.30 a. m. in winter.

382. Mess call in garrison will be sounded daily as follows: For breakfast, fifteen minutes after reveille roll call; for dinner, not earlier than 12 m. nor later than 12.15 p. m.; for supper, not earlier than 5 nor later than 6.30 p. m. Meals for enlisted men will be served promptly at the hours appointed, and the duties of the post, as far as compatible with the requirements of the service, will be so arranged that all the men may be present. The men will be allowed at least twenty minutes for breakfast and supper and thirty minutes for dinner.

383. Except at the ceremony of parade, the result of a roll call will be reported after the companies have been dismissed to the officer superintending the call, who will report the result to the commanding officer.

384. In camp and garrison the commanding officer fixes the hours for reports, issues, and roll calls, and for the performance of stated duties and fatigues. In garrison, retreat will be not later than sunset. The signals will be sounded by the field musicians in accordance with authorized drill regulations.

385. After breakfast, and after stable duty in the mounted service, the tents or quarters and adjacent ground will be policed by the men of the companies and the guardhouse or guard tent by the prisoners, or by members of the guard if there be no prisoners.

ARTICLE XLI.

Honors, Courtesies, and Ceremonies.

HONORS.

386. The officers named below will be received with standards and colors dropping, officers and troops saluting, and the bands and field music playing, as follows: The President, the President's March; the General, the General's March; the Lieutenant General, trumpets sounding 3 flourishes or drums beating 3 ruffles; a major general, 2 flourishes or 2 ruffles; a brigadier general, 1 flourish or 1 ruffle.

387. To the Vice President, the members of the Cabinet, the Chief Justice, the President of the Senate, the Speaker of the House of Representatives, American or foreign ambassadors, and governors within their respective States and Territories the same honors are paid as to the General; to the Assistant Secretary of War and to American or foreign envoys or ministers the same honors as to the Lieutenant General; to officers of the Navy the honors due to their relative rank; to officers of marines and volunteers, and militia when in the service of the United States, the honors due to like grades in the regular service; to officers of a foreign service the honors due to their rank.

388. The national or regimental color or standard, uncased, passing a guard or other armed body will be saluted, the field music sounding "to the color" or "to the standard." Officers or enlisted men passing the uncased color will render the prescribed salute; with no arms in hand, the salute will be made by uncovering, the headdress being held in the right hand opposite the left shoulder, right forearm against the breast.

389. Whenever "The Star Spangled Banner" is played by the band on a formal occasion at a military station, or at any place where persons belonging to the military service are present in their official capacity, all officers and enlisted men present will stand at attention, such position being retained until the last note of "The Star Spangled Banner." The same respect will be observed toward the national air of any other country, when it is played as a compliment to official representatives of such country. Whenever "The Star Spangled Banner" is played under circumstances contemplated by this paragraph, the air will be played through once without repetition of any part, except such repetition as is called for by the musical score.

390. No honors are paid by troops when on the march or in trenches, except that they may be called to attention, and no salute is rendered when marching in double time or at the trot or gallop.

391. The commanding officer is saluted by all commissioned officers in command of troops or detachments. Troops under arms will salute as prescribed in drill regulations.

392. All officers salute on meeting and in making or receiving official reports. Military courtesy requires the junior to salute first, but when the salute is introductory to a report made at a military ceremony or formation to the representative of a common superior—as for example, to the adjutant, officer of the day, etc.—the officer making the report, whatever his rank, will salute first; the officer to whom the report is made will acknowledge, by saluting, that he has received and understood the report. When under arms, the salute is made with the sword or saber if drawn; otherwise with the hand. A mounted officer dismounts before addressing a superior not mounted.

393. On official occasions officers, when indoors and under arms, do not uncover, but salute with the sword if drawn; otherwise with the hand. If not

under arms, they uncover and stand at attention, but do not salute except when making or receiving reports.

394. When an enlisted man without arms passes an officer he salutes with the hand farthest from the officer. If mounted, he salutes with the right hand. Officers are saluted whether in uniform or not.

395. An enlisted man, armed with the saber and out of ranks, salutes all officers with the saber if drawn; otherwise he salutes with the hand. If on foot and armed with a rifle or carbine, he makes the rifle or carbine salute. A mounted soldier dismounts before addressing an officer not mounted.

396. A noncommissioned officer or private in command of a detachment without arms salutes all officers with the hand, but if the detachment be on foot and armed with the rifle or carbine, he makes the rifle or carbine salute, and if armed with a saber he salutes with it.

397. An enlisted man, if seated, rises on the approach of an officer, faces toward him, and salutes. If standing, he faces the officer for the same purpose. If the parties remain in the same place or on the same ground, such compliments need not be repeated. Soldiers actually at work do not cease work to salute an officer unless addressed by him.

398. An enlisted man makes the prescribed salute with the weapon he is armed with, or if unarmed, whether covered or uncovered, with the hand, before addressing an officer. He also makes the same salute after receiving a reply.

399. Indoors, an unarmed enlisted man uncovers and stands at attention upon the approach of an officer; he does not salute unless he addresses or is addressed by the officer. If armed, he salutes as heretofore prescribed, without uncovering.

400. When an officer enters a room where there are soldiers, the word "Attention" is given by some one who perceives him, when all rise and remain standing in the position of a soldier until the officer leaves the room. Soldiers at meals do not rise.

401. Soldiers at all times and in all situations pay the same compliments to officers of the Army, Navy, Marine Corps, and volunteers and to officers of the organized militia in uniform as to officers of their own regiment, corps, or arm of service.

402. Officers will at all times acknowledge the courtesies of enlisted men by returning salutes given, in the manner prescribed in drill regulations. When several officers in company are saluted, all who are entitled to the salute return it.

SALUTES WITH CANNON.

403. Salutes with cannon will be fired under charge of commissioned officers, who shall be present at the firing and direct it.

Guns using metallic-case ammunition will be used whenever practicable; in their absence other breech-loading guns should preferably be used. Muzzle-loaders will be used only when breechloaders are not available. When using muzzle-loading guns a sufficient number should be employed, if practicable, to avoid the necessity of firing the same gun a second time.

For muzzle-loading guns, or breechloaders using cartridge bags, the bags will be made of silk, measuring in length at least one and one-half times their diameter, and care will be taken that the sponges are not worn and that they thoroughly fill the chamber or bore of the gun, and when the same gun is fired more than once, that the intervals between the discharges are sufficient to allow the chamber or bore to be thoroughly sponged and chamber of breechloaders

examined. Unless all of these conditions be fulfilled salutes will not be fired with these classes of guns.

The minimum number of pieces with which salutes may be fired is 1 for rapid-fire and field guns using metallic-case ammunition, 2 for breechloaders using cartridge bags, 4 for siege, and 6 for seacoast guns. When practicable, rapid-fire guns will be used for saluting purposes.

404. The rapidity with which pieces are discharged during a salute depends upon their caliber. Subject to the restrictions of the preceding paragraph, guns of 4-inch caliber or less should have intervals of five seconds between discharges; guns of over 4-inch caliber, ten seconds.

When a single field gun is used to fire a salute the interval between discharges should be ten seconds.

405. When muzzle-loading guns are used, the pieces for a salute should, if possible, be of the same or equivalent caliber. If the number of guns in the saluting battery admits of it, the entire number required and two or three over should be loaded and made ready previous to commencing the salute; the detachments are then dispensed with, and a single cannoneer at each piece discharges it at the proper time. When the number of pieces is insufficient for the entire salute, as many as possible should be used so as to avoid frequent reloadings.

The pieces are numbered from right to left—1, 2, 3, and so on—and each detachment or the cannoneer, as the case may be, is made clearly to understand the number of the piece.

At the proper moment the officer in charge commands: "Number 1, fire!" and observing the proper interval, "Number 2, fire!" and so on to the left piece, when he returns to the first and repeats the same commands until the entire number required for the salute is discharged. In order to preserve regularity in the fires he will not concern himself with the running number, but will have a capable person to keep count and notify him when the required number of discharges is made. In giving the command "Fire!" he looks toward the piece to be fired, and gives it in such a pronounced manner, accompanied by a signal with his sword, as to be unmistakable. The cannoneer discharging a piece when its number is called casts his eye to the officer and, observing the signal as well as the command, fires the piece promptly. Should a piece misfire, the officer immediately commands the next to fire and allows the piece that has missed to remain undischarged until its proper turn comes again. Immediately after each piece is discharged it is reloaded and made ready if there is probability of its being fired again.

When troops are drawn up for the reception of a dignitary, and it is practicable to have a battery of field guns on the ground, a salute from it should form part of the ceremony; otherwise guns in position are used. When field guns are used, it is most appropriate to fire the salute at the place of review, and at the time just previous to the review when the personage arrives on the ground.

406. Salvos are simultaneous discharges from several cannon; they correspond to volleys of musketry and are fired by way of salute only over the graves of officers at the time of burial. The order designating a funeral escort prescribes whether the fire shall be 3 volleys of musketry or 3 salvos of artillery.

407. Salutes will not be fired between sunset and sunrise, and not on Sunday unless required by international courtesy. As a general rule, salutes will be fired between 8 a. m. and sunset. The national flag will always be displayed at the time of firing a salute.

NATIONAL SALUTES.

408. The national salute is 21 guns. It is also the salute to a national flag. The salute to the Union, commemorative of the Declaration of Independence and consisting of 1 gun for each State, is fired at noon on July 4 at every post provided with suitable artillery.

409. It is the custom of foreign ships of war, on entering a harbor or passing near a fortification, to display at the main the flag of the country in whose waters they are, and to salute it. It is the rule, however, in our own and foreign navies to fire salutes only between 8 a. m. and sunset. On the completion of the salute to the flag, a salute of the same number of guns will be promptly returned by the designated saluting station. United States vessels return salutes to the flag in United States waters only when there is no fort or battery designated to do so. United States vessels do not salute United States forts or posts, and the converse.

Saluting stations, for the purpose of returning the salutes of foreign men-of-war in the ports and territorial waters of the United States, will be designated in orders from time to time by the War Department.

The salute to the flag is the only salute that is returned, and this is invariably done as soon as possible. The time intervening should never exceed twenty-four hours. The failure to return such salutes is regarded as a discourtesy or lack of friendship justifying the other party in asking an explanation.

Notice of an intention to salute the flag is sometimes given by the vessel direct to the fort, but as giving notice involves delay, vessels generally salute without it. Surveying vessels, storeships, and transports do not salute. If notice of intention to salute the flag be received by a fort not the saluting station, such fort immediately notifies the saluting station and informs the vessel of the fact.

PERSONAL SALUTES.

410. The President, both on his arrival at and departure from a military post, or when in its vicinity, receives a salute of 21 guns. No other personal salute is fired in his presence.

The sovereign or chief magistrate of a foreign country receives the salute prescribed for the President; members of a royal family receive the salute due their sovereign.

An ex-President of the United States receives a salute of 21 guns.

The Vice-President receives a salute of 19 guns.

When officials other than those named visit military posts, they receive salutes as follows:

	Guns.
President of the Senate, and American or foreign ambassadors	19
Members of the Cabinet, the Chief Justice, the Speaker of the House of Representatives, a committee of Congress officially visiting a military post, governors within their respective States or Territories, or a governor general, and the civil governor of the Philippine Islands	17
The Assistant Secretary of War or the Assistant Secretary of the Navy, when officially visiting a military post; the vice-governor of the Philippine Islands, and American or foreign envoys or ministers	15
Ministers resident accredited to the United States	13
Chargés d'affaires	11
Consuls general accredited to the United States	9
The General	17
The Lieutenant General	15
Major general	13
Brigadier general	11

The term "governor general" shall be taken to mean an administrative officer under whom officers with the title of governor are acting.

411. As a rule, a personal salute is to be fired when the personage entitled to it enters a post.

When several persons, each of whom is entitled to a salute, arrive together at a post, the highest in rank or position is alone saluted. If they arrive successively, each is saluted in turn.

An officer assigned to duty according to his brevet rank is entitled to the salute prescribed for the grade to which he is assigned.

A retired general officer making an official visit is saluted according to his rank.

An officer, whether civil, military, or naval, holding two or more positions, either of which entitles him to a salute, receives only the salute due to the highest grade. In no event is the same person to be saluted in more than one capacity.

Personal salutes at the same place and in compliment to the same person, whether civil, diplomatic, military, or naval, are never to be fired oftener than once a year, unless such person shall have been in the meantime advanced in rank.

412. Officers of the Navy are saluted according to their relative rank; officers of marines and of the volunteer forces or militia in the service of the United States, and officers of foreign services, are saluted according to rank.

413. When a civil functionary entitled to a salute arrives at a military post, the commanding officer meets or calls upon him as soon as practicable, and will tender him a review if the garrison consists of not less than four companies. When a general officer visits a post within his command, the troops will be paraded for review, unless he directs otherwise. When a salute is to be given an officer junior to another present at a post, the senior will be notified to that effect by the commanding officer.

414. In addition to the foregoing, occasions of a public nature frequently arise when salutes are both desirable and proper. Orders will be given in such cases.

415. The flag of a military post will not be dipped by way of salute or compliment.

VISITS AND COURTESIES.

416. Officers arriving at the headquarters of a military command, or at a military post, will call upon the commander thereof as soon as practicable and register their names. If the visiting officer be senior to the commander, the former may send a card, in which case it becomes the duty of the commander to make the first call.

417. The interchange of official compliments and visits between foreign military and naval officers and the authorities of a military post is international in character and opens the way to official and social courtesies among the officers. In cases of vessels of war, foreign or otherwise, recently arrived, it is the duty of the post commander to send a suitable officer to offer civilities and assistance. This is called the "boarding visit," and it is expected that this civility will be returned. Within twenty-four hours thereafter, weather permitting, the officer in chief command of the ship or ships should visit the officer in command of the post or station, should the latter be his equal or superior in grade. This visit will be returned within twenty-four hours. Should the naval officer in command be superior in grade to the officer commanding the post or station the first visit will be paid by the latter.

418. The interchange of visits between governors general, governors, and other officers administering insular governments, and officers of the Army and Navy, is governed by the following rules, which have received the approval of the Secretaries of War and the Navy:

All naval officers in command shall make the first visit upon the governor general, whatever the latter's military grade. Officers of the Army holding commands under a governor general or acting as governors of provinces, departments, or cities, shall make the first visit upon a naval commander in chief, if the latter is of equal or superior grade, as shall also civilian governors of provinces, departments, or cities.

If not a commander in chief, the first visit shall be made by the senior naval officer upon officers of the Army holding command under a governor general, or acting as governors of provinces, departments, or cities, if the latter are equal or superior in grade, and upon civilian governors of provinces, departments, or cities.

Should the governor general be a civilian, and therefore not holding direct military command, the naval commander in chief shall make the first visit, both upon the governor and the army officer in chief command of troops in the island or group of islands, if he is of equal or superior grade.

Visits should be exchanged under the above rules between a naval commander in chief or senior naval officer: (1) With the governor; (2) the governor of a province, department, or city; (3) the army officer in chief command at a place where there is a civil governor.

Should the governor general, or any other officer administering the government of an island, find that from indisposition or pressure of important business he is unable to pay or return these visits in person, he will depute his aide-de-camp or some other officer to do so. In like manner, should a naval commander in chief, from indisposition or pressing occupation, be precluded from paying or returning these visits, he will depute an officer not below the rank of flag lieutenant to do so. In each case the officer failing to pay the required visit in person will report the circumstances, and assign the reasons which led to the omission, to the department under which he is acting.

419. When a military commander officially visits a vessel of war, he will give notice in advance of his intention to do so. He is received at the gangway by the commander of the vessel and is accompanied there by the same officer when leaving. The officer who is sent with the customary offer of civilities is met at the gangway of a vessel of war by the officer of the deck, and is presented by the latter to the commander of the vessel.

420. A vessel of war is approached and boarded by commissioned officers by the starboard side and gangway. In entering a boat, the junior goes first and other officers follow in order of rank; in leaving a boat, the senior goes first. The latter acknowledges the salutes which are given at the gangway of a naval vessel.

421. Naval vessels fire personal salutes to officers entitled to them when the boats containing them have cleared the ship. It is an acknowledgment of the salute by the officer saluted for his boat to lie on her oars from the first until the last gun and for him to uncover; at the conclusion, to give way. Personal salutes are not returned by military posts.

422. In case of vessels of war of foreign powers at peace with the United States lying in our ports or harbors and celebrating their national festivities, the commander of each fort, battery, or military post may participate in the celebration by firing salutes, parading commands, etc. In such a case the flag of the United States will be hoisted and lowered simultaneously with that of the ship on board of which the celebration occurs.

423. When boats are rowing in the same direction, an inferior is not to pass a superior in grade unless he is on urgent duty, or authorized by the superior.

When boats are pursuing opposite directions, the rule of the road to prevent fouling is that both shall "put their helms to port," i. e., to pass to the right, circumstances permitting.

When boats are approaching the same landing or vessel, an inferior is always to give way to a superior in rank.

Boats about leaving a ship's side or landing are to give way in ample time to others approaching.

It is not proper to land over another boat without permission, and only when it can not be avoided is permission to be asked.

424. A vessel of war on which the President of the United States is traveling displays the President's flag at the main. In case of foreign sovereigns, vessels display the royal standard of the sovereign in like manner.

ESCORTS OF HONOR.

425. Escorts of honor may be composed of any or of all arms, according to the circumstances. They are detailed for the purpose of receiving and escorting personages of high rank, civil or military, when they arrive and depart. The troops for this purpose will be selected for their soldierly appearance and superior discipline, and are formed and maneuvered as prescribed in the authorized drill regulations. The post commander in each case will detail an officer to attend the personage escorted, and to bear communications from him to the commander of the escort.

FUNERAL HONORS.

426. On the receipt at any post or camp of official notice of the death of the President of the United States, the commanding officer will, on the following day, cause a gun to be fired every half hour, beginning at sunrise and ending at sunset. When posts are in sight or within 6 miles of each other the firing will take place only at the post commanded by the senior officer.

427. The orders announcing the death of a Secretary of War, Assistant Secretary of War, or a general officer on the active or retired list, or other person entitled to a salute of cannon, will specify the number of guns to be fired at half-hour intervals, commencing at 8 o'clock a. m. on the day after the receipt of the order, and the posts at which they shall be fired. During the firing the flag will be displayed at half-staff.

428. When the funeral of an officer who was entitled to a salute takes place at or near a military post, minute guns will be fired while the remains are being borne to the place of interment, but the number of guns will not exceed that to which the officer was entitled as a salute. After the remains are deposited in the grave a salute corresponding to the rank of the deceased will be fired, in addition to 3 salvos of artillery or 3 volleys of musketry.

429. If the remains of a flag officer of the Navy or a general officer are brought ashore in the vicinity of a military post, the flag will be displayed at half-staff and minute guns will be fired as the procession moves. The number of guns will be that to which the officer was entitled as a salute.

430. During the funeral at or near a military post of a civil functionary, who was entitled to a salute, the flag is displayed at half-staff and minute guns are fired. The number of guns will be that to which the functionary was entitled as a salute.

431. On the death of an officer at a military post the flag is displayed at half-staff and so remains, between reveille and retreat, until the last salvo or

volley is fired over the grave; or if the remains are not interred at the post, until they are removed therefrom.

432. During the funeral of an enlisted man at a military post the flag is displayed at half-staff. It is hoisted to the top after the final volley or gun is fired, or after the remains are taken from the post. The same honors are paid on the occasion of the funeral of a retired enlisted man.

433. All military posts in sight of each other display their flags at half-staff upon the occasion of one doing so. The same rule is observed toward all vessels of war.

434. When the flag is displayed at half-staff it is lowered to that position from the top of the staff. It is afterwards hoisted to the top before it is finally lowered.

435. The funeral escort of the Secretary of War or General of the Army will consist of a regiment of infantry, a squadron of cavalry, and a battalion of field artillery; of the Assistant Secretary of War or the Lieutenant General, a regiment of infantry, a squadron of cavalry, and a battery of field artillery; of a major general, a regiment of infantry, two troops of cavalry, and a battery of field artillery; of a brigadier general, a regiment of infantry, a troop of cavalry, and a platoon of field artillery; of a colonel, a regiment; a lieutenant colonel or major, a battalion or squadron; a captain, one company; a subaltern, a platoon. The funeral escort of a general officer, or of any other officer either on the active or retired list, when the funeral occurs at any other place than a military post or camp, will be ordered by the War Department, and will be composed of such bodies of troops, not exceeding the number prescribed in this paragraph, as the interests of the service will permit. But in all cases where the funeral ceremonies take place at or in the immediate vicinity of a military post, or where the remains are conveyed through a military post en route to the place of burial, the above regulation relative to escort will be complied with so far as the strength of the garrison will allow. The flag will be at half-staff while the remains are at or in the immediate vicinity of the post, and the department or post commander will give the necessary orders.

436. The funeral escort of an officer will be commanded by an officer of the same grade; if none such be present, by one of the next lower grade available. The ceremony is prescribed in the drill regulations.

437. The funeral escort of a noncommissioned staff officer will consist of 16 men, commanded by a sergeant; of a sergeant, of 14 men, commanded by a sergeant; of a corporal, of 12 men, commanded by a corporal; of a private, of 8 men, commanded by a corporal; of an enlisted man of field artillery, one section.

438. Six pallbearers will be selected, as far as practicable, from the grade of the deceased.

439. Officers and enlisted men attending military funerals wear uniform and side arms and in the funeral procession follow the mourners in order of rank, seniors in front. The funeral of an officer is attended by such officers of the post or organization in the field as other duties will permit. The funeral of a noncommissioned officer is attended by the noncommissioned officers and privates of the regiment, or such part of it as may be present and can be spared from other duties; that of a private by the noncommissioned officers and privates of his company.

440. The badge of military mourning is a knot of black crape worn upon the sword hilt for a period not to exceed thirty days.

441. As family mourning, officers may wear a straight band of crape or plain black cloth 5 inches wide around the left arm above the elbow.

442. The drums of a funeral escort will be covered with black crape or thin black serge, furnished by the quartermaster.

443. The colors of a regiment will not be placed in mourning or draped, except when ordered from the War Department. Two streamers of crape 7 feet long and about 12 inches wide attached to the ferrule below the spearhead will be used for the purpose.

CEREMONIES.

444. All ceremonies will be conducted as prescribed in the authorized drill regulations.

445. There will be daily one parade, morning or evening, as the commanding officer may direct, which will not be dispensed with except on urgent occasions. All officers and men will be present unless specially excused or on duty incompatible with such attendance.

446. At every military post or station the flag will be hoisted at the sounding of the first note of the reveille, or of the first note of the march, if a march be played before the reveille. The flag will be lowered at the sounding of the last note of the retreat, and while the flag is being lowered the band will play "The Star Spangled Banner," or, if there be no band present, the field music will sound "to the color." When "to the color" is sounded by the field music while the flag is being lowered the same respect will be observed as when "The Star Spangled Banner" is played by the band, and in either case officers and enlisted men out of ranks will face toward the flag, stand at attention, and render the prescribed salute at the last note of the music. The national flag will be displayed at a seacoast or lake fort at the beginning of and during an action in which the fort may be engaged, whether by day or by night.

447. Troops will be mustered for pay on the last day of each month unless otherwise ordered by the War Department. When the commanding officer can not muster all the troops he will designate other officers to assist.

448. Each stated muster will, when practicable, be preceded by a minute and careful inspection. If the command consists of more than one company, the inspection will be preceded by a review. If the day for muster falls on Sunday, such review and inspection will be omitted.

449. On Memorial Day, May 30, at all army posts and stations, the national flag will be displayed at half-staff from sunrise till midday, and immediately before noon the band, or field music, will play some appropriate air, and the national salute of 21 guns will be fired at 12 m. at all posts and stations provided with artillery. At the conclusion of this memorial tribute, at noon, the flag will be hoisted to the top of the staff and will remain there until sunset. When hoisted to the top of the staff, the flag will be saluted by playing one or more appropriate patriotic airs. In this way fitting testimonial of respect for the heroic dead and honor to their patriotic devotion will be appropriately rendered.

ARTICLE XLII.

GUARDS.

450. The authorized Manual of Guard Duty is the guide in all matters relating to duties of guards not contained in these regulations.

451. Quartermaster's supplies required for strictly post or police purposes, or for use by the post or camp guard, will be supplied by the quartermaster on request from the officer of the day, approved by the commanding officer, and will be continued on the returns of the quartermaster.

452. Articles so obtained will be duly entered under the direction of the officer who receives them on a list of "articles in charge." They will be carried on the list and verified daily under the direction of the officer of the day. When no longer fit for use they will be submitted by the quartermaster for inspection and, if condemned, disposed of as ordered.

ARTICLE XLIII.

Route Maps and Journals of March.

453. The commanding officer of every body of troops ordered to march will detail a competent person, preferably a mounted commissioned officer, as topographer, whose special duty will be to prepare and preserve the field notes, sketches, and maps necessary for a complete record of the route traversed and adjacent points of military interest. The topographer will be relieved of such of his routine duties as interfere with this work. He will be furnished with such official maps and descriptive notes of the proposed route as may be available. Should these be adequate, the field work will be confined to marking thereon the route followed and adding such notes as may be required to complete the record. Where no maps are available or those furnished are inadequate, field maps to standard scales will be prepared. When necessary, selected enlisted men, preferably mounted, will be detailed to assist the topographer. The work will be done under the supervision of the commanding officer. For facility in reading, military maps are made according to a uniform system of scales and contour intervals, as follows:

1. One inch to 1 mile, vertical interval, 60 feet.
2. Three inches to 1 mile, vertical interval, 20 feet.
3. Six inches to 1 mile, vertical interval, 10 feet.
4. Twelve inches to 1 mile, vertical interval, 5 feet.

In general these scales and contour intervals are used as follows:

1. For route maps of extended marches, or of marches of large commands using several roads.
2. For ordinary route sketches and extended positions.
3. For position and outpost sketches.
4. For maps used in the war game, discussion of operations at maneuvers and in siege operations.

454. Field notes and maps of the route traversed each day will be completed the same day. In time of peace the original field notes and maps covering the entire march will ultimately be transmitted to the chief engineer of the division or department in which it terminates for file and for use in the compilation of new or the correction of existing military maps. In campaign these records will be disposed of as prescribed in Field Service Regulations.

455. Journals of march will be kept by the adjutant of the command or by an officer detailed for that purpose. The journal will contain an historical record of the march, facts as to equipment, clothing, supply, shelter, roads, weather, health of troops, and incidents of any kind that may have value. Journals of march pertaining to provisional commands will be forwarded to the headquarters of the division or department in which the march terminates for file; those of permanent organizations will be retained at the headquarters of the organizations to which they pertain. In campaign, journals of march are incorporated in or replaced by war diaries, as provided in Field Service Regulations.

456. Commanding officers will see that the organizations under their command are at all times fully supplied with the engineer reconnaissance equipment

prescribed in orders of the War Department, that the equipment is in good order and repair, and that selected officers and enlisted men are instructed in its use.

457. Notebooks, blanks, and reconnaissance instruments are supplied by the Engineer Department as a part of the authorized equipment of companies, regiments, and other organizations. When such books or blanks can not be obtained, substitutes will be prepared conforming to the standard forms. General instructions for the use and preservation of instruments, the character of the observations to be made, and the methods of recording them will be found in the Engineer Field Manual or as notes printed in the record books or on the blanks supplied.

ARTICLE XLIV.

Military Education.

458. The military educational system of the United States comprises:

1. The Military Academy at West Point for the education of cadets.
2. Post schools for the instruction of enlisted men.
3. At each military post a garrison school for the instruction of officers in subjects pertaining to the performance of their ordinary duties.
4. Service schools—
   - *a.* The Army War College, Washington, D. C.
   - *b.* The Army Staff College, Fort Leavenworth, Kans.
   - *c.* The Coast Artillery School, Fort Monroe, Va.
   - *d.* The Engineer School, Washington Barracks, D. C.
   - *e.* The Mounted Service School, Fort Riley, Kans.
   - *f.* The Army Medical School, Washington, D. C.
   - *g.* The Army Signal School, Fort Leavenworth, Kans.
   - *h.* The Army School of the Line, Fort Leavenworth, Kans.
   - *i.* The School for Bakers and Cooks, Washington Barracks, D. C.
   - *j.* The School for Bakers and Cooks, Presidio of San Francisco, Cal.
   - *k.* The Army Field Engineer School, Fort Leavenworth, Kans.
   - *l.* The Army Field Service and Correspondence School for Medical Officers, Fort Leavenworth, Kans.
5. The military department of civil institutions at which officers of the Army are detailed under the provisions of law.

The detail of officers at these institutions is announced, and the regulations governing the courses of instruction therein are issued, in orders from the War Department.

ARTICLE XLV.

The Organized Militia.

459. The following provisions of the Constitution and laws govern the calling of the militia into the service of the United States:

The constitutional provisions are—

> The Congress shall have power * * *
>
> To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;
>
> To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress. (Art. I, sec. 8, pars. 15–16.)

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened) against domestic violence. (Art. IV, sec. 4.)

In pursuance of the foregoing delegations of authority Congress has enacted—

[Revised Statutes.]

SEC. 5288. It shall be lawful for the President, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, she ought not to remain within the United States.

INSURRECTION.

SEC. 5297. In case of an insurrection in any State against the government thereof, it shall be lawful for the President, on application of the legislature of such State, or of the executive, when the legislature can not be convened, to call forth such number of the militia of any other State or States, which may be applied for, as he deems sufficient to suppress such insurrection; or, on like application, to employ, for the same purposes, such part of the land or naval forces of the United States as he deems necessary.

SEC. 5298. Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

SEC. 5299. Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy, opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations.

[Act of January 21, 1903, as amended by the act of May 27, 1908.]

SEC. 1. That the militia shall consist of every able-bodied male citizen of the respective States and Territories and the District of Columbia, and every able-bodied male of foreign birth who has declared his intention to become a citizen, who is more than eighteen and less than forty-five years of age, and shall be divided into two classes: The organized militia, to be known as the National Guard of the State, Territory, or District of Columbia, or by such other designations as may be given them by the laws of the respective States or Territories; the remainder to be known as the Reserve Militia: *Provided*, That the provisions of this act and of section sixteen hundred and sixty-one, Revised Statutes, as amended, shall apply only to the militia organized as a land force.

* * * * * * *

SEC. 3. That the regularly enlisted, organized, and uniformed active militia in the several States and Territories and the District of Columbia who have heretofore participated or shall hereafter participate in the apportionment of the annual appropriation provided by section sixteen hundred and sixty-one of the Revised Statutes of the United States, as amended, whether known and designated as National Guard, militia, or otherwise, shall constitute the organized militia. On and after January twenty-one, nineteen

hundred and ten, the organization, armament, and discipline of the organized militia in the several States and Territories and the District of Columbia shall be the same as that which is now or may hereafter be prescribed for the Regular Army of the United States, subject in time of peace to such general exceptions as may be authorized by the Secretary of War: *Provided*, That in peace and war each organized division of militia may have one inspector of small-arms practice with the rank of lieutenant colonel; each organized brigade of militia, one inspector of small-arms practice with the rank of major; each regiment of infantry or cavalry of organized militia, one assistant inspector of small-arms practice with the rank of captain, and each separate or unassigned battalion of infantry or engineers or squadron of cavalry of organized militia one assistant inspector of small-arms practice with the rank of first lieutenant: *Provided also*, That the President of the United States in time of peace may, by order, fix the minimum number of enlisted men in each company, troop, battery, signal corps, engineer corps, and hospital corps: *And provided further*, That any corps of artillery, cavalry, and infantry existing in any of the States at the passage of the act of May eight, seventeen hundred and ninety-two, which, by the laws, customs, or usages of the said States, have been in continuous existence since the passage of said act, under its provisions and under the provisions of section two hundred and thirty-two and sections sixteen hundred and twenty-five to sixteen hundred and sixty, both inclusive, of title sixteen of the Revised Statutes of the United States, relating to the militia, shall be allowed to retain their accustomed privileges, subject, nevertheless, to all other duties required by law, in like manner as the other militia.

SEC. 4. That whenever the United States is invaded or in danger of invasion from any foreign nation, or of rebellion against the authority of the Government of the United States, or the President is unable with the regular forces at his command to execute the laws of the Union, it shall be lawful for the President to call forth such number of the militia of the State or of the States or Territories or of the District of Columbia as he may deem necessary to repel such invasion, suppress such rebellion, or to enable him to execute such laws, and to issue his orders for that purpose, through the governor of the respective State or Territory, or through the commanding general of the militia of the District of Columbia, from which State, Territory, or District such troops may be called, to such officers of the militia as he may think proper.

SEC. 5. That whenever the President calls forth the organized militia of any State, Territory, or of the District of Columbia, to be employed in the service of the United States, he may specify in his call the period for which such service is required, and the militia so called shall continue to serve during the term so specified, either within or without the territory of the United States, unless sooner relieved by order of the President: *Provided*, That no commissioned officer or enlisted man of the organized militia shall be held to service beyond the term of his existing commission or enlistment: *Provided further*, That when the military needs of the Federal Government arising from the necessity to execute the laws of the Union, suppress insurrection, or repel invasion, can not be met by the regular forces, the organized militia shall be called into the service of the United States in advance of any volunteer force which it may be determined to raise.

SEC. 6. That when the militia of more than one State is called into the actual service of the United States by the President he may, in his discretion, apportion them among such States or Territories or to the District of Columbia according to representative population.

SEC. 7. That every officer and enlisted man of the militia who shall be called forth in the manner hereinbefore prescribed, shall be mustered for service without further enlistment, and without further medical examination previous to such muster, except for those States and Territories which have not adopted the standard of medical examination prescribed for the Regular Army: *Provided, however*, That any officer or enlisted man of the militia who shall refuse or neglect to present himself for such muster, upon being called forth as herein prescribed, shall be subject to trial by court-martial and shall be punished as such court-martial may direct.

SEC. 8. That the majority membership of courts-martial for the trial of officers or men of the militia when in the service of the United States shall be composed of militia officers.

SEC. 9. That the militia, when called into the actual service of the United States, shall be subject to the same Rules and Articles of War as the regular troops of the United States.

SEC. 10. That the militia, when called into the actual service of the United States, shall, during their time of service, be entitled to the same pay and allowances as are or may be provided by law for the Regular Army.

SEC. 11. That when the militia is called into the actual service of the United States, or any portion of the militia is called forth under the provisions of this act, their pay shall commence from the day of their appearing at the place of company rendezvous, but this

provision shall not be construed to authorize any species of expenditures previous to arriving at such places of rendezvous which is not provided by existing laws to be paid after their arrival at such places of rendezvous.

* * * * * * *

SEC. 22. That when any officer, noncommissioned officer, or private of the militia is disabled by reason of wounds or disabilities received or incurred in the service of the United States he shall be entitled to all the benefits of the pension laws existing at the time of his service, and in case such officer, noncommissioned officer, or private dies in the service of the United States or in returning to his place of residence after being mustered out of such service, or at any time, in consequence of wounds or disabilities received in such service, his widow and children, if any, shall be entitled to all the benefits of such pension laws.

460. Whenever the militia is called into the service of the United States, the organized militia will be designated first, and in apportioning quotas according to representative population they will, to the extent practicable, be so adjusted as not to leave any State or Territory or the District of Columbia unprovided with a reserve force sufficient to meet any emergency then existing or imminent within such State or Territory or the District of Columbia. Except in cases where the organized militia has been called out by direct order of the President, requisition will be made by the War Department upon governors of the States or Territories or the commanding general of the militia of the District of Columbia, and the arm of the service and the number of organizations thereof required will be stated in the requisitions.

461. The President's authority over the organized militia is derived from the Constitution and from the legislation of Congress in furtherance of its provisions, and he can order it out in those cases which are specifically provided for in paragraph 459. The organized militia then becomes national in character and the President its Commander in Chief.

The President is the exclusive judge of the existence of an emergency justifying the ordering out of the organized militia, and the measures necessary for giving effect to the order are executive acts which the Secretary of War may perform as the representative of the President.

462. By direction of the President, the minimum enlisted strength for each organization of the organized militia is fixed as follows:

For a company of infantry, total enlisted, 58. This is based on apportionment to grades as follows, viz: 1 first sergeant, 1 quartermaster sergeant, 4 sergeants, 6 corporals, 2 cooks, 2 musicians, and 42 privates.

For a troop of cavalry, total enlisted, 58. This is based on apportionment to grades as follows, viz: 1 first sergeant, 1 quartermaster sergeant, 4 sergeants, 6 corporals, 2 cooks, 1 farrier, 1 horseshoer, 1 saddler, 2 trumpeters, and 39 privates.

For a company of engineers, total enlisted, 58. This is based on apportionment to grades as follows, viz: 1 first sergeant, 1 quartermaster sergeant, 4 sergeants, 6 corporals, 2 cooks, 2 musicians, 21 privates, first class, and 21 privates, second class.

For a company of coast artillery, total enlisted, 63. This is based on apportionment to grades as follows, viz: 1 first sergeant, 1 quartermaster sergeant, 4 sergeants, 6 corporals, 2 cooks, 2 mechanics, 2 musicians, and 45 privates.

For a battery of field artillery, total enlisted, 133. This is based on apportionment to grades as follows, viz: 1 first sergeant, 1 quartermaster sergeant, 1 stable sergeant, 6 sergeants, 12 corporals, 3 cooks, 1 chief mechanic, 1 horseshoer, 3 mechanics, 2 musicians, and 102 privates.

For a company of signal corps, total enlisted, 58. This is based on apportionment to grades as follows, viz: 5 sergeants, first class, 5 sergeants, 10 corporals, 2 cooks, 18 privates, first class, and 18 privates.

For the hospital corps: (*a*) Ambulance company section, total enlisted, 43. This is based on apportionment to grades as follows, viz: 2 sergeants, first class, 7 sergeants, 1 acting cook, and 33 privates, first class, and privates. (*b*) Field hospital, total enlisted, 33. This is based on apportionment to grades as follows, viz: 3 sergeants, first class, 6 sergeants, 2 acting cooks, and 22 privates, first class, and privates.

463. No organization will be accepted into the service of the United States which, in the number of its officers and enlisted men, is below the minimum prescribed by the President, or above the maximum strength fixed by law for such organization; and whenever any organization which is ordered out, or called upon, is below the minimum, it shall be immediately recruited to at least that standard before leaving its home station.

464. From the day that any portion of the organized militia ordered into actual service of the United States appears at the place of company rendezvous, the men will be provided with the necessary clothing, equipment, armament, and ammunition, subsisted, and transported to the place of concentration, under the following plan:

1. Governors of States and Territories and the commanding general of the militia of the District of Columbia will be required to keep on hand, either at the various company armories or in suitable storehouses, a sufficient supply of arms, clothing, etc., to completely equip for the field the minimum number of men prescribed by the President for each organization, so that on being called into the service any organization will be completely equipped from the stores on hand in the State or Territory or the District of Columbia without calling on the War Department for assistance; any organization which is below the minimum, and which is obliged to recruit to its proper standard, is thus enabled to immediately uniform, arm, and equip the recruits before proceeding to the place of concentration where they will eventually be mustered into the service of the United States.

2. The various locations of company rendezvous rendering it impossible to issue rations in kind economically, the commanding officer of any portion of the organized militia called into the actual service of the United States will purchase cooked meals for his command while at the company rendezvous, and thereafter until arrival at the State camp or other place of concentration where rations in kind are available for issue. An expense not exceeding 60 cents a man a day is authorized for such meals, except for the time consumed in traveling to the State camp or other place of concentration, during which time not exceeding 75 cents a man a day is authorized. The purchase of cooked meals, as above, should be made after advertising, or, if conditions do not permit of advertising, in open market under paragraph 559, the accounts prepared on Form 7 of the Subsistence Department (the voucher covering the travel period to show places between which, and dates when, travel was performed) certified by the officer procuring the meals, and sent to the chief commissary of the department for payment.

3. When the organized militia is ordered into the service of the United States, the quartermaster general of the State or Territory or of the militia of the District of Columbia, or an officer designated by the governor or the commanding general of the militia of the District of Columbia, will arrange for the necessary transportation from the company rendezvous to the place of concentration. He will ascertain the number of officers and men, the number of animals, and approximate weight of the property for which transportation will be required, and submit the data to competing lines of transportation with a view to securing the best rates obtainable from starting points to the place of concentration. (Form of circular for this purpose is given in paragraph 693, Quartermaster's Manual, 1904.)

Blank forms of contracts, transportation requests, and bills of lading, to cover the cost of the movements, on which are printed full instructions, will be furnished by the chief quartermaster of the military department in which the State or Territory or the District of Columbia is located, on application.

All accounts for the transportation of the organized militia ordered out will be submitted by the carriers to the officer of the State or Territory or of the militia of the District of Columbia making the contract, who will examine them, and, if found correct, transmit them duly certified, together with the transportation requests, bills of lading, and contracts, to the chief quartermaster of the military department in which the State or Territory or the District of Columbia is located, for adjustment and settlement.

4. Ammunition will be supplied under orders of the War Department upon arrival at place of concentration.

465. To expedite the mobilization of the organized militia ordered into the service of the United States, the War Department, after consultation with the governors or the commanding general of the militia of the District of Columbia, will designate convenient places in the State or Territory or in the District of Columbia for assembling companies, batteries, etc., the United States Government meeting, as hereinbefore provided, all authorized expenses incident to this preliminary concentration from the day the militia appear at their places of company rendezvous. The organized militia called into the service of the United States will be mustered in at these designated places of concentration by officers of the Army detailed for this purpose by the War Department. The extent of the physical examination, upon said muster in, will be in accordance with the length and character of the service for which the organizations are called out and will be prescribed in orders from the War Department: *Provided*, That in the States or Territories or the District of Columbia that shall have adopted a standard of physical examination for enlistment and reenlistment of the organized militia, approved by the Secretary of War, such militia shall be deemed under the law "fit for military service," and shall be duly mustered into the service of the United States as such. Under these conditions, as soon as practicable after such muster in, without interfering with the supreme duty of the militia—the defense of the country—and in such a manner as not to prevent their employment against an enemy, a physical examination will be made by a medical officer of the Army, detailed for the purpose, who shall note all cases of defect and cause the same to be entered on the muster roll against the name of each individual, stating in each case whether the defect so noted existed prior to the muster in of the soldier.

466. It shall be the duty of every officer designated to muster into the service of the United States any of the militia of the several States or Territories or of the District of Columbia, to see that the muster rolls contain all information that might in any way affect pay or which it might be necessary to consider in the settlement of claims for pensions. Blank forms and detailed instructions will be forwarded to mustering officers by the War Department.

Upon the completion of the muster in of any organization, the mustering officer shall forward the rolls promptly to their proper destinations as given in his detailed instructions.

467. 1. As soon as a regiment or other separate organization has been mustered into the service of the United States, the governor of the State to which the organization belongs will invoice all property belonging to the United States taken by such troops into the service, as follows:

a. All clothing, camp and garrison equipage, and quartermaster supplies, to the quartermaster of the organization.

b. All property pertaining to the Subsistence Department, to the commissary of the organization.

c. All property pertaining to the Medical Department, to the senior medical officer on duty with the organization.

d. All property pertaining to the Engineer Department, the Ordnance Department, and the Signal Corps, to the company or detachment commanders.

2. Property pertaining to each department will be invoiced separately. On receipt of the stores invoiced to the several officers hereinbefore specified, from the governor of the State, such officers will use the invoices received by them from the governor as vouchers for taking up such property on their returns, and will furnish the usual receipts to the governor for the property received. The receipts will be used as vouchers to the governor's next property returns rendered to the several chiefs of bureaus of the War Department.

3. On receipt of the clothing, camp and garrison equipage, and other quartermaster supplies from the State, the quartermaster, under the direction of the commanding officer of the organization, will turn over to each company or detachment commander the stores required by each company or detachment, taking memorandum receipts therefor; but the quartermaster will continue to carry such supplies on his returns until they shall have been transferred or expended and duly accounted for as required by Army Regulations. This provision will also apply in the case of subsistence property for which the commissary of an organization is accountable.

4. As soon as practicable after a regiment or other separate organization has been mustered into the service, the commanding officer thereof will convene a board of officers of his command to make an inventory of all United States property received from the governor of the State to which his command is credited, and make report which will conform to the following requirements:

a. The report to be prepared in duplicate and submitted to the commanding officer for his action.

b. Separate reports to be made for each staff department concerned.

c. Each report to contain an itemized list of the property pertaining to one staff department and a statement as to its condition and value at the time the property was received from the State.

d. In the case of clothing, the report to show the price (average) at which each article should be charged to enlisted men.

The report of the board, after approval by the commanding officer, will be forwarded directly to the chief of the bureau to which the property pertains. The duplicate copy of the report will be forwarded to the governor of the State.

468. In all cases payments to militia mustered into the service of the United States will be made in the same manner as to organizations of the Regular Army.

469. At the termination of the period for which the President called the militia forces into the service of the United States they shall be mustered out by an officer of the Army, detailed for the purpose, at such rendezvous favorable to all interests concerned as may be directed by the War Department. The mustering officer will be provided by the War Department with blanks and detailed instructions.

470. To facilitate the settlement of claims that may be made for pensions on account of disability incurred in the military service, that is, to establish the rights of persons under the pension laws, as well as to protect the interests of the United States, a thorough physical examination of all officers and enlisted men of the militia will be made immediately prior to their discharge or their muster out.

471. Specific regulations for mustering the militia into the service of the United States and for its muster out will be published by the War Department when the necessity arises.

472. When any company, troop, battery, battalion, or regiment of the organized militia of any State or Territory or of the District of Columbia enlists in a body in the Volunteer Army, such organization loses its identity as a part of the organized militia, so far as the United States Government is concerned, changes its designation, and becomes a similar unit of the Volunteer Army. It shall comply with all the conditions and requirements prescribed for similar organizations of the Volunteer Army as to strength, medical examination, etc. If the President, under authority vested in him by law, has called forth any of the organized militia, no part of the organization so called forth is eligible for enlistment in the Volunteer Army, should one be raised, until properly mustered out of the service of the United States.

ARTICLE XLVI.

The Government Hospital for the Insane.

473. The following classes of persons are entitled by law to admission to the Government Hospital for the Insane: (1) Officers, contract surgeons, and enlisted men of the Army who have become insane while in the military service, or within three years after their discharge therefrom, from causes which arose during and were incident to such service; (2) inmates of the Soldiers' Home and of the National Home for Disabled Volunteer Soldiers; (3) civilian employees of the Quartermaster's, Subsistence, and Pay Departments who may become insane during such employment; (4) military convicts.

474. The insane of the military service, except as otherwise provided for in paragraph 478, will be reported, through military channels, to The Adjutant General of the Army, that the orders of the Secretary of War for their disposition may be obtained. The report will be accompanied by a certificate of the post surgeon containing the diagnosis, a detailed account of the medical history of the case and a statement as to whether the disability was or was not incurred in line of duty; also a statement as to whether the patient, if discharged the service, can be released from military control without danger to himself or others.

475. In the case of an insane person ordered by the War Department to be sent to the Government Hospital for the Insane, all papers, including his descriptive list, certificates of disability, and form of medical certificate required by the Department of the Interior, properly filled in, will be forwarded directly to The Adjutant General of the Army by the post commander on the date of the person's departure from the post. An insane soldier will not be discharged from the service except by order of the Secretary of War.

The blank forms for the medical certificate required by the Department of the Interior will be furnished by The Adjutant General of the Army.

476. An insane soldier ordered by the War Department to be sent to the Government Hospital for the Insane will be escorted by a noncommissioned officer. When a number are sent at one time or when the patient or patients require restraint, the department commander may order such addition to the escort as may be necessary. The noncommissioned officer will report to The Adjutant General of the Army, by telegraph, at least twenty-four hours in advance, the probable time and place of arrival in Washington. After leaving the patient at the hospital the noncommissioned officer will report to The Adjutant General of the Army for further instructions.

477. On the departure of the patient from his station the commanding officer will give such orders to the person in charge as will provide for transportation of the necessary attendants to the institution and returning to their posts, also subsistence during their absence. When payment of commutation, in lieu of subsistence in kind, is permissible under paragraph 1245, the commanding officer may, in writing, order commutation for the patient to be paid in advance to, and receipted for by, the noncommissioned officer to whose charge the patient is committed.

478. The insane of the military service in the Philippine Islands, except natives, will be sent by the commanding general, Philippines Division, to the General Hospital, Presidio of San Francisco, Cal., for observation and treatment in that hospital before action is taken in their cases in accordance with the provisions of paragraph 474.

Insane natives of the Philippine Islands and Porto Rico serving in the Army of the United States may, under authority from the Secretary of War, be sent to an asylum in the Philippine Islands or to an asylum in Porto Rico, respectively.

479. To obtain the release of a patient when cured or his delivery to the care of friends, application must be made to The Adjutant General of the Army, accompanied by the recommendation of the superintendent of the hospital.

ARTICLE XLVII.

INDIANS.

INDIAN COUNTRY.

480. If any commanding officer of a military post has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country in violation of law, he may cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court. It shall, moreover, be the duty of any person in the service of the United States, or of any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department. In all cases arising under sections 2139 and 2140, Revised Statutes, Indians shall be competent witnesses. It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing from the War Department or any officer duly authorized thereunto by the War Department.

481. The Indian country within the meaning of the foregoing paragraph may be defined, in general, as the Indian Territory, Indian reservations, or districts occupied by Indian tribes and to which the Indian title has not been extinguished; or sections of country over which the operation of the Indian trade and intercourse laws has been retained by Indian treaty stipulations. Should any case arise which, in the opinion of the department commander, does not appear to be embraced within these definitions, he will report it to the Secretary of War, in order that the question whether the location is Indian country may be authoritatively determined.

482. When lands are secured to the Indians by treaty against occupation by the whites, the military commanders will keep intruders off the same by military force, if necessary, until such time as the Indian title is extinguished or the lands are opened by Congress for settlement.

483. When questions arise as to the ownership of animals in possession of Indians, the commanding officer of the nearest military post is authorized and directed to act in conjunction with the agent in charge of said Indians in the investigation and determination of ownership.

484. The introduction into the Indian country for the purpose of sale to, or exchange with, Indians of any breech-loading firearms and of any special ammunition adapted to them, and the sale and exchange to Indians in the Indian country of any such arms or ammunition is prohibited. The introduction into the country or district occupied by any tribe of hostile Indians, for the purpose of sale or exchange to them, of arms or ammunition of any description, and the sale or exchange thereof to or with such Indians is prohibited; and all such arms or ammunition introduced by traders or other persons, and which are liable in any manner to be received by such hostile Indians, shall be deemed contraband of war, to be seized by any officer and confiscated.

485. Supplies, stores, and property of any kind procured out of army appropriations will not be transferred, in any way or under any circumstances, for the use of Indians except under authority first obtained from the Secretary of War. Any officer violating the terms of this regulation will be charged with the money value of the supplies, stores, or property transferred, and in addition be otherwise held accountable according to circumstances.

486. Indians held as prisoners of war are entitled to receive necessary subsistence, clothing, medicines, and medical attendance. There is no authority of law permitting such supplies and attendance to be furnished to Indians under the care and management of the Interior Department. All Indian prisoners will be reported on the post returns under the following form:

Name of tribe.	Number of men.	Number of women.	Number of children above 12 years of age.		Number of children 12 years of age and under.		Date of capture.	Gain.	Loss.	Total.	Total last return.	Remarks.
			Male.	Female.	Male.	Female.						

PURCHASES FROM INDIANS.

487. Purchases of cattle, hay, grain, fuel, or other produce or merchandise which Indians may have for sale and which may be required for the military service may, with the approval of the Secretary of War, be made from Indians in open market, at fair and reasonable prices, but not exceeding the market prices in the localities where such purchases are made.

INDIAN SCOUTS.

488. Indians employed as scouts under the provisions of sections 1094 and 1112, Revised Statutes, will be enlisted for periods of three years and discharged when the necessity for their services shall cease. While in service they will receive the pay and allowances of cavalry soldiers and an additional allowance of 40 cents per day, provided they furnish their own horses and horse equipments; but such additional allowance will cease if they do not keep their horses and equipments in serviceable condition.

489. Department commanders are authorized to appoint the sergeants and corporals for the whole number of enlisted Indian scouts serving in their departments, but such appointments must not exceed the proportion of 1 first sergeant, 5 sergeants, and 4 corporals for 60 enlisted Indian scouts.

490. The number of Indian scouts allowed to military departments will be announced from time to time in orders from the War Department.

491. The enlistment and reenlistment of Indian scouts will be made under the direction of department commanders. The appointment or mustering of farriers or horseshoers on the rolls of Indian scouts is illegal.

492. In all cases of enlistment of Indians the full Indian name, and also the English interpretation of the same, will be inserted in the enlistment papers and in all subsequent returns and reports concerning them.

ARTICLE XLVIII.

Employment of Troops in the Enforcement of the Laws.

493. It is unlawful to employ any part of the Army of the United States, as a posse comitatus or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and any person willfully violating this provision will be deemed guilty of a misdemeanor, and, on conviction thereof, will be punishable by a fine not exceeding $10,000 or imprisonment not exceeding two years, or by both such fine and imprisonment.

494. The provisions of the Constitution and of acts of Congress authorizing the employment of the military forces for the purpose of executing the laws, are as follows:

ARTICLE IV OF THE CONSTITUTION.

Sec. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened) against domestic violence.

REVISED STATUTES OF THE UNITED STATES.

CIVIL RIGHTS.

Sec. 1984. The commissioners authorized to be appointed by the preceding section [section 1983] are empowered, within their respective counties, to appoint, in writing, under their hands, one or more suitable persons, from time to time, who shall execute all such warrants or other process as the commissioners may issue in the lawful performance of their duties, and the persons so appointed shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged; and such warrants shall run and be executed anywhere in the State or Territory within which they are issued.

Sec. 1989. It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under any of the preceding provisions, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of this title.

Sec. 1991. Every person in the military or civil service in the Territory of New Mexico shall aid in the enforcement of the preceding section [abolishing peonage].

INDIANS.

Sec. 2118. Every person who makes a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or surveys or attempts to survey such lands, or to designate any of the boundaries by marking trees, or otherwise, is liable to a penalty of one thousand dollars. The President may, moreover, take such

measures and employ such military force as [he] may judge necessary to remove any such person from the lands.

SEC. 2147. The superintendent of Indian affairs, and the Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President is authorized to direct the military force to be employed in such removal.

SEC. 2150. The military forces of the United States may be employed in such manner and under such regulations as the President may direct—

First. In the apprehension of every person who may be in the Indian country in violation of law; and in conveying him immediately from the Indian country, by the nearest convenient and safe route, to the civil authority of the Territory or judicial district in which such person shall be found, to be proceeded against in due course of law;

Second. In the examination and seizure of stores, packages, and boats, authorized by law;

Third. In preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law;

Fourth. And also in destroying and breaking up any distillery for manufacturing ardent spirits set up or continued within the Indian country.

SEC. 2151. No person apprehended by military force under the preceding section shall be detained longer than five days after arrest and before removal. All officers and soldiers who may have any such person in custody shall treat him with all the humanity which the circumstances will permit.

SEC. 2152. The superintendents, agents, and sub-agents shall endeavor to procure the arrest and trial of all Indians accused of committing any crime, offense, or misdemeanor, and of all other persons who may have committed crimes or offenses within any State or Territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize. The President may direct the military force of the United States to be employed in the apprehension of such Indians, and also in preventing or terminating hostilities between any of the Indian tribes.

THE PUBLIC LANDS.

SEC. 2460. The President is authorized to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction of the timber of the United States in Florida, and to prevent the transportation or carrying away any such timber as may be already felled or cut down; and to take such other and further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall, after the passing of this act, take possession of, or make a settlement on any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any State to the United States, which lands shall not have been previously sold, ceded, or leased by the United States, or the claim to which lands, by such person or persons, shall not have been previously recognized and confirmed by the United States: or if any person or persons shall cause such lands to be thus occupied, taken possession of, or settled: or shall survey, or attempt to survey, or cause to be surveyed, any such lands; or designate any boundaries thereon, by marking trees, or otherwise, until thereto duly authorized by law; such offender or offenders, shall forfeit all his or their right, title, and claim, if any he hath, or they have, of whatsoever nature or kind the same shall or may be, to the lands aforesaid, which he or they shall have taken possession of, or settled, or caused to be occupied, taken possession of, or settled, or which he or they shall have surveyed, or attempt to survey, or cause to be surveyed, or the boundaries thereof he or they shall have designated, or cause to be designated, by marking trees or otherwise. And it shall moreover be lawful for the President of the United States, to direct the marshal, or officer acting as marshal, in the manner hereinafter directed, and also to take such other measures, and to employ such military force as he may judge necessary and proper, to remove from lands ceded, or secured to the United States, by treaty, or cession as aforesaid, any person or persons who shall hereafter take possession of the same, or make, or attempt to make a settlement thereon, until thereunto authorized by law. And every right, title, or claim, forfeited under this act, shall be taken and deemed to be vested in the United States, without any other or further proceedings: *Provided,* That nothing herein contained, shall be construed to affect the right, title, or claim, of any person to lands in the territories of Orleans or Louisiana, before the boards of commissioners established by the act, entitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans and the district of Louisiana," shall have made their reports and the decision of Congress been had thereon.

[Section 1 of an act approved March 3, 1807, perpetuated by section 5596, Revised Statutes.]

The Secretary of War, upon the request of the Secretary of the Interior, is hereafter authorized and directed to make the necessary detail of troops to prevent trespassers or intruders from entering the Sequoia National Park, the Yosemite National Park, and the General Grant National Park, respectively, in California, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of said reservations, and to remove such persons from said parks if found therein. *Act of June 6, 1900 (31 Stat. L., 618).*

The President is hereby authorized to take such measures as shall be necessary to remove and destroy any unlawful inclosure of any of said [public] lands, and to employ civil or military force as may be necessary for that purpose. *Act of February 25, 1885 (23 Stat. L., 322).*

THE PUBLIC HEALTH.

SEC. 4792. The quarantines and other restraints established by the health laws of any State, respecting any vessels arriving in, or bound to, any port or district thereof, shall be duly observed by the officers of the customs revenue of the United States, by the masters and crews of the several revenue cutters, and by the military officers commanding in any fort or station upon the seacoast; and all such officers of the United States shall faithfully aid in the execution of such quarantines and health laws, according to their respective powers and within their respective precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury. * * *

EXTRADITION.

SEC. 5275. Whenever any person is delivered by any foreign government to an agent of the United States, for the purpose of being brought within the United States and tried for any crime of which he is duly accused, the President shall have power to take all necessary measures for the transportation and safe-keeping of such accused person, and for his security against lawless violence, until the final conclusion of his trial for the crimes or offenses specified in the warrant of extradition, and until his final discharge from custody or imprisonment for or on account of such crimes or offenses, and for a reasonable time thereafter, and may employ such portion of the land or naval forces of the United States, or of the militia thereof, as may be necessary for the safe-keeping and protection of the accused.

NEUTRALITY.

SEC. 5286. Every person who, within the territory or jurisdiction of the United States, begins, or sets on foot, or provides or prepares the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years.

SEC. 5287. * * * In every case in which a vessel is fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel is increased or augmented, or in which any military expedition or enterprise is begun or set on foot, contrary to the provisions and prohibitions of this title; and in every case of the capture of a vessel within the jurisdiction or protection of the United States as before defined; and in every case in which any process issuing out of any court of the United States is disobeyed or resisted by any person having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district, or people, it shall be lawful for the President, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such vessel, with her prizes, if any, in order to the execution of the prohibitions and penalties of this title, and to the restoring of such prizes in the cases in which restoration shall be adjudged; and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace.

SEC. 5288. It shall be lawful for the President, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, she ought not to remain within the United States.

INSURRECTION.

SEC. 5297. In case of an insurrection in any State against the government thereof, it shall be lawful for the President, on application of the legislature of such State, or of the executive, when the legislature can not be convened, to call forth such number of the militia of any other State or States, which may be applied for, as he deems sufficient to suppress such insurrection; or, on like application, to employ, for the same purposes, such part of the land or naval forces of the United States as he deems necessary.

SEC. 5298. Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

SEC. 5299. Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy, opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations.

Among the laws to be enforced under sections 5298 and 5299 are the following:

(1) Section 3995, Revised Statutes, which prohibits the obstructing or retarding the passage of the mail, and all other laws relating to the carrying of the mails.

(2) The following sections of an act approved July 2, 1890, entitled:

AN ACT to protect trade and commerce against unlawful restraints and monopolies.

SEC. 1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 3. Every contract, combination in form of trust or otherwise, or conspiracy, in restraint of trade or commerce in any Territory of the United States or of the District of Columbia, or in restraint of trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, is hereby declared illegal. Every person who shall make any such contract or engage in any such combination or conspiracy, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

(3) The following section of an act approved July 2, 1864, entitled:

AN ACT granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the northern route.

SEC. 11. *And be it further enacted*, That said Northern Pacific Railroad, or any part thereof, shall be a post route and a military road, subject to the use of the United States, for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

(4) The following section of an act approved July 1, 1862, entitled:

AN ACT to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes.

[The Union and Central Pacific Railway companies.]

SEC. 6. *And be it further enacted,* That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit despatches over said telegraph line, and transport mails, troops, and munitions of war, supplies, and public stores upon said railroad for the Government, whenever required to do so by any department thereof, and that the Government shall at all times have the preference in the use of the same for all the purposes aforesaid. * * *

(5) The following sections of an act approved July 27, 1866, entitled:

AN ACT granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast.

SEC. 11. *And be it further enacted,* That said Atlantic and Pacific Railroad, or any part thereof, shall be a post route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

SEC. 18. *Be it further enacted,* That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point, near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

SEC. 5316. It shall be unlawful to take any vessel or cargo detained under the preceding section [section 5315] from the custody of the proper officers of the customs, unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, the President, or such person as he shall have empowered for that purpose, may employ such part of the Army or Navy or militia of the United States, or such force of citizen volunteers as may be necessary, to prevent the removal of such vessel or cargo, and to protect the officers of the customs in retaining the custody thereof.

GUANO ISLANDS.

SEC. 5577. The President is authorized, at his discretion, to employ the land and naval forces of the United States to protect the rights of the discoverer [of a guano island] or of his widow, heir, executor, administrator, or assigns.

HAWAII.

SEC. 67. That the governor shall be responsible for the faithful execution of the laws of the United States and of the Territory of Hawaii within the said Territory, and whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the Territory of Hawaii, or summon the posse comitatus, or call out the militia of the Territory to prevent or suppress lawless violence, invasion, insurrection, or rebellion in said Territory, and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the Territory, or any part thereof, under martial law until communication can be had with the President and his decision thereon made known. *Act of April 30, 1900 (31 Stat. L., 153).*

ALASKA.

SEC. 29. An act entitled "An act to define and punish crimes in the District of Alaska, and to provide a code of criminal procedure for the District," approved March third, eighteen hundred and ninety-nine, be, and is, amended, by adding to section three hundred and sixty-three thereof the following: "*Provided,* [That] section fifteen of an act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes,' approved June eighteenth, eighteen hundred and seventy-eight, shall not be construed to apply to the District of Alaska." *Act of June 6, 1900 (31 Stat. L., 330).*

Section 15 of the act of June 18, 1878 (20 Stat. L., 152), above referred to, reads as follows:

"*From and after the passage of this act it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section.*"

495. Officers of the Army will not permit troops under their command to be used to aid the civil authorities as a posse comitatus, or in execution of the laws, except as provided in the foregoing paragraph.

496. If time will admit, applications for the use of troops for such purposes must be forwarded, with statements of all material facts, for the consideration and action of the President; but in case of sudden and unexpected invasion, insurrection, or riot, endangering the public property of the United States, or in case of attempted or threatened robbery or interruption of the United States mails, or other equivalent emergency so imminent as to render it dangerous to await instructions requested through the speediest means of communication, an officer of the Army may take such action before the receipt of instructions as the circumstances of the case and the law under which he is acting may justify, and will promptly report his action and the circumstances requiring it to The Adjutant General of the Army, by telegraph, if possible, for the information of the President.

497. In the enforcement of the laws troops are employed as a part of the military power of the United States and act under the orders of the President as Commander in Chief. They can not be directed to act under the orders of any civil officer. The commanding officers of troops so employed are directly responsible to their military superiors. Any unlawful or unauthorized act on their part would not be excusable on the ground of an order or request received by them from a marshal or any other civil officer.

498. Troops called into action against a mob forcibly resisting or obstructing the execution of the laws of the United States or attempting to destroy property belonging to or under the protection of the United States are governed by the general regulations of the Army and apply military tactics in respect to the manner in which they shall act to accomplish the desired end. It is purely a tactical question in what manner they shall use the weapons with which they are armed—whether by fire of musketry and artillery or by the use of the bayonet and saber, or by both, and at what stage of the operations each or either mode of attack shall be employed. This tactical question will be decided by the immediate commander of the troops, according to his judgment of the situation. The fire of troops should be withheld until timely warning has been given to the innocent who may be mingled with the mob. Troops must never fire into a crowd unless ordered by their commanding officer, except that single selected sharpshooters may shoot down individual rioters who have fired upon or thrown missiles at the troops. As a general rule the bayonet alone should be used against mixed crowds in the first stages of a revolt. But as soon as sufficient warning has been given to enable the innocent to separate themselves from the guilty, the action of the troops should be governed solely by the tactical considerations involved in the duty they are ordered to perform. They should make their blows so effective as to promptly suppress all resistance to lawful authority, and should stop the destruction of life the moment lawless resistance has ceased. Punishment belongs, not to the troops, but to the courts of justice.

ARTICLE XLIX.

CEMETERIES.

NATIONAL CEMETERIES.

499. National cemeteries, and the records pertaining thereto, are under the charge of the Quartermaster General. All correspondence between his office and the officers of his department in charge thereof, and the civil engineers and agents especially employed in connection therewith will be direct, and the monthly reports of superintendents will be forwarded directly to him.

BATTLE-GROUND CEMETERIES.

500. In order to secure, as far as possible, the decent interment of those who fall in battle and to establish beyond doubt their identity should it become desirable subsequently to disinter the remains for removal to a national or post cemetery, or for shipment home, it is the duty of commanding generals to set apart a suitable spot near every battlefield, and to cause the remains of the killed to be interred therein and, when practicable, to cause to be placed in the coffin or grave a glass bottle, corked and sealed, containing a slip of paper on which shall be written the name of the decedent, giving the cause and date of death and burial, and in the case of an officer or enlisted man, his rank, company, regiment, or corps, and bearing the signature of the surgeon or officer in charge of the interment. It is the duty of the commanding officer to cause to be made a sketch as accurate as the means at hand will permit of the burying places of those falling in battle.

501. Where conditions make it possible, the company commander will be held responsible that every grave of the men of his company who die or are killed on the field is carefully marked with a headboard, or with such other marker as may be authorized for use on the field or in the insular possessions, giving the name, rank, and organization of the decedent. He will report, through the proper military channels, the date and cause of death, which reports will include a sketch showing the location of the grave, and how marked, in such manner as will enable the same to be readily found by a disinterring corps. When a soldier or civilian employee dies in hospital, the surgeon in charge will be held responsible for similar action and report.

POST CEMETERIES.

502. The commanding officer of every post situated on public lands of the United States will see that a suitable portion of such land is, when practicable, set apart and properly maintained for the burial of deceased officers and soldiers and their families, and of Government employees.

503. Post cemeteries will be suitably inclosed with a wall or fence of the best material available, and will be maintained by the labor of the garrison. Materials for the construction and repair of fences and headboards will be furnished by the Quartermaster's Department.

504. At each grave will be placed a headboard, plainly marked with a number and with the name, company, regiment, and date of death of the decedent, the number to correspond to the number in the record of interments. Headboards will be of well-seasoned wood, painted with three coats of white paint, 4 feet long, 10 inches wide, 1⅛ inches thick, and stand 2 feet out of the ground; the inscriptions in black letters 1 inch long.

505. Walks will be 4 feet wide, neatly rounded, and properly drained and graveled when the material is at hand. When practicable, good grass sod

should cover the rest of the ground, including the graves, and native trees and shrubs will be preserved or planted for ornament and shade.

506. A record of interments will be kept by the quartermaster, which will be turned over by him, when relieved, to his successor, or transmitted to the Quartermaster General if the post be discontinued.

507. A report containing the names of persons buried during the calendar year, giving in each case number and locality of grave, date of death and burial, and in case of an officer or enlisted man, his rank, company, and regiment or corps, will be forwarded to the Quartermaster General.

ARTICLE L.

Advertising and Printing.

NEWSPAPER ADVERTISING.

No advertisement, notice, or proposal for any Executive Department of the Government, or for any bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such Department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority.—*Sec. 3828, Revised Statutes.*

508. No official advertisement will be published in any newspaper except under special or general written authority of the Secretary of War. Special authority authorizes the publication of a given advertisement a specified number of times in a designated newspaper or newspapers. General authority is granted only to disbursing officers engaged in making frequent purchases and contracts, and authorizes the publication, during a fiscal year, in designated newspapers, of such advertisements for proposals as their duties may require. Such authority will be granted to the office, not to the officer. In making application for authority to advertise, officers will specify the newspapers in which it is deemed advantageous to advertise. Due economy as to the number of newspapers in which an advertisement is to appear will be observed by officers having general authority to advertise, no greater number being used in any case than may be necessary to give proper and sufficient public notice.

509. Requests for authority to advertise will be made upon the prescribed blank forms, except that in case of great emergency, the nature of which will be stated, authority to advertise may be requested by telegraph.

510. When necessary to readvertise, owing to rejection of proposals received in accordance with a special authority to advertise, the approval of the Secretary of War must be obtained, as in the first instance; the approval of the original authority to advertise does not confer authority to readvertise.

511. Ordinarily advertisements will be given six insertions in daily, or four in weekly, papers. When more than ten days are to intervene between the date of the first publication and the date of opening, those in daily newspapers inviting proposals will at once be given four consecutive insertions, and immediately before the date of opening two consecutive insertions. In case of emergency, advertisements may be given one or more insertions, as time and circumstances permit.

512. Advertisements in newspapers announcing sales of property or inviting proposals for furnishing labor or supplies will, as a rule, allow thirty days to intervene between date of first publication and date of sale or opening of bids. If necessity require, a shorter period may be allowed, but no period of less than ten days will be designated except in case of emergency. The officer who is accountable for property which is to be advertised for sale, or who is authorized to invite proposals for furnishing labor or supplies, is the one upon whom

devolves the duty of determining whether an emergency exists warranting the designation of a period less than ten days for the publication of the advertisement. No officer will authorize the publication of an advertisement beyond the morning of the day on which the sale or opening of bids is to occur, and no payments will be made for continuing such publication beyond the period authorized.

513. Officers will observe conciseness in wording advertisements, and the matter, including the heading and the name and title of the signing officer, must be set up close in one paragraph, without dash or blank lines, leading or display, and in type no larger than that ordinarily used in advertisements. At offices and depots where proposals are frequently invited it is not necessary to publish in each case the conditions usually imposed upon bidders and contractors; a statement that they will be furnished on application will suffice. The following is a sample of advertisement set up in accordance with these requirements:

> PROPOSALS FOR FIRE HOSE.—Office of Building for State, War, and Navy Departments, Washington, D. C., Nov. 5, 1887.—Sealed proposals for furnishing and delivering unlined Linen Hose, Coupling, and Pipes, for west and center wings of building for State, War, and Navy Departments, in this city, will be received here until 12 m., Nov. 7, 1887, and then opened. Information furnished on application. Envelopes containing proposals should be indorsed "Proposals for Fire Hose," and addressed THOS. LINCOLN CASEY, Col., Engrs.

Advertisements for quartermaster's supplies will conform to the requirements of section 3716, Revised Statutes.

514. Newspapers officially designated for publishing War Department advertisements are required to forward to the Assistant and Chief Clerk sworn statements of the commercial rates charged by them to individuals, with their usual discounts, and of any changes made in the same. These statements will give the size of type used in the advertisements and show whether the charges are made by the inch, line, square, or folio, the rate for the first and subsequent insertions, and if by the square or folio, the number of lines or words constituting a square or folio. Fractional parts of an inch, square, or folio will be paid for at proportionate rates.

515. Vouchers covering bills for advertising in newspapers must, prior to payment, be submitted to the Secretary of War, except in the Philippines Division, where they will be submitted to the division commander for his approval before payment. They will be prepared upon prescribed forms, and each will have attached a copy of the advertisement cut from the newspaper. No voucher will contain the account of more than one newspaper, nor for more than one advertisement. The date of first and subsequent insertions; number of lines, squares, or folios; number of insertions charged and ordered, and the amount charged will be entered in the proper columns. The column headed "Amount allowed" will be left blank. The third fold of the voucher will be filled in with an extract copy of the authority from the Secretary of War to advertise, stating its number. The letter addressed to the publisher of the newspaper directing the publication of the advertisement must be attached to the voucher; the publisher to state his bill thereon. The accounts thus prepared will be forwarded by the certifying officer directly to the Assistant and Chief Clerk of the War Department, except in the Philippines Division, where they will be forwarded to the division adjutant general for the consideration of the division commander, as soon as practicable after their receipt from the publisher or proprietor of the newspaper in which the advertisement was published, with an indorsement describing the inclosures, preferably on letter of authority, or if the letter of authority is not in the hands of the officer then by a letter of transmittal.

516. Accounts presented to officers for advertisements which they did not order, but which are shown to have been ordered by the Secretary of War to be published in the newspaper presenting the accounts for payment, will be prepared upon the official forms and transmitted to the Assistant and Chief Clerk of the War Department in the same manner as other accounts for advertising. The following form of certificate will be used in such cases:

I certify that the annexed advertisement was cut from the newspaper named in the above account, and that it was inserted in that newspaper for the period stated.

Claims of publishers of official newspapers for advertisements copied from other papers without authority from the Secretary of War will not be paid.

517. In the event of an officer's death or removal, the outstanding bills for advertisements pertaining to his office will be prepared, certified, and forwarded by his successor, who is authorized to vary the form to correspond to the facts. Officers changing stations will leave with their successors complete records relative to unsettled accounts for advertising.

518. The heads of bureaus of the War Department will furnish officers charged with the publication of advertisements the necessary blanks for compliance with these regulations.

JOB PRINTING.

519. The printing required at the several division and department headquarters will be executed under contract, thirty days' notice, when practicable, being given of the opening of proposals. Bids will be invited and contracts made in accordance with the form of proposal and circular of instructions furnished by the Quartermaster's Department. The period of the contract will not extend beyond the end of the fiscal year in which made, and the contract will be submitted to the Secretary of War.

520. Vouchers covering bills for printing for division and department headquarters will, prior to payment, be submitted to the Secretary of War, except for printing done in the Philippine Islands or in foreign countries near thereto, where they will be subject to the approval of the commanding general of the division, or of the department in case there be no division. They will be made out on prescribed forms, the printing to be so described as to enable computations to be readily reviewed according to the customary methods in use among book and job printers. A sample of the printing will accompany each bill, and on vouchers for work classed as "special" in the circular of instructions, the number of copies and rate per hundred will be stated, and on vouchers for other jobs the date of printing, number of copies, name and amount of type (number of thousand ems), number of tokens of press work, and rates per thousand ems and per token will be stated. The voucher will show grade and quantity of paper furnished by the printer and price charged. The vouchers thus prepared, with the certificate of the officer ordering the work, as to its necessity and propriety, will be forwarded directly to the Assistant and Chief Clerk of the War Department, with a letter of transmittal describing the inclosures, except for printing done in the Philippine Islands or in foreign countries near thereto, in which case the vouchers will be transmitted to the division commander.

521. Printed letter and note headings for division and department headquarters will contain only the designation of the headquarters, the office to which the correspondence pertains, post-office address, blank date, and in the upper left corner a brief request for reference to the file number in making reply. Those for posts, regiments, and schools of instruction will contain only the designation of the post, regiment, or school, post-office address, blank date, and in the upper left corner a brief request for reference to the file number in making reply. Names of officers or other persons, or telephone numbers, will

not be printed on letter or note headings for use in any branch of the military service.

522. Necessary printing in special cases not covered by contracts for printing for division and department headquarters will, as far as practicable, be done by contract after competition, awards being made to the lowest responsible bidders. These contracts and all vouchers covering the service will be submitted to the Secretary of War.

523. Officers, as a rule, will obtain all blank forms, blank books, etc., by requisition upon the heads of the proper staff departments.

ARTICLE LI.

Purchase of Supplies and Engagement of Services.

GENERAL PROVISIONS.

524. No contract or purchase on behalf of the United States will be made unless it is authorized by law, or is made under an appropriation adequate to its fulfillment, except for clothing, subsistence, forage, fuel, quarters, transportation, or medical and hospital supplies, which, however, will not exceed the necessities of the current year. No officer of the United States will accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in case of sudden emergency involving loss of human life or the destruction of property.

525. The labor of troops or Government employees, or Government means of transportation, will not be used to enable contractors to fulfill contracts, except in cases of manifest necessity, and then only on the written authority of the proper commander. Full deduction will be made for Government services when rendered.

526. Articles of foreign production or manufacture for the service of the United States will not be purchased abroad for importation without special authority from the Secretary of War.

527. Articles of domestic production or manufacture will be preferred to those of foreign origin, cost and quality being equal.

528. Supplies and services not personal, required for the use of the Army, will be procured where they can be purchased the cheapest, quality and cost of transportation and the interests of the Government considered. Except as indicated in paragraph 559, and in the special regulations of the several staff departments, they will be procured only after public notice inviting proposals for the same.

Whoever works personally as a servant of the Government renders personal service under the meaning of section 3709 of the Revised Statutes. Personal services may be either skilled or unskilled; may be rendered pursuant to informal agreement or contract, by individuals or firms, or their agents; but all consideration of material is excluded.

529. An officer charged with the duty of making a contract or purchase is responsible under the laws and regulations for his action. Permission or orders to make a contract or purchase without inviting competition will not justify the procedure, and will not be given.

ADVERTISING FOR PROPOSALS.

530. In cases of large purchases a period of thirty or more days should intervene between date of first publication and of opening proposals. In small purchases from seven to thirty days should intervene and when the public exigency (constituting an emergency) does not permit seven days to intervene, the period should be for as many days as the circumstances will permit. The exist-

ence of such emergency is to be determined by the officer upon whom the duty of making the purchase devolves. Advertising for proposals by newspapers, in accordance with Article L, will be adopted when time permits, and the quantity or value of the purchase, or character of the services, in the opinion of the purchasing officer, will justify the expense. In such cases paragraph 512 governs as to the number of days to intervene between the first publication and the date of opening proposals. When notice of less than thirty days is given, advertising by circulars (sent to principal dealers in the localities where the supplies or services are desired, and posted in public places) is permissible. A purchasing officer may advertise by newspapers and circulars at the same time.

531. When advertisements or specifications thereunder do not announce fixed standards for articles required, they should be so worded as to permit bids to be considered item by item and awards to be made for the most suitable articles of each kind offered.

532. Whenever it is intended to require that guaranties or certified checks shall accompany proposals, that fact, the amount in which the guarantors are to justify, or, if certified checks are substituted for the guaranties, the amount required and the periods to be allowed after the award for the execution of contract papers and bonds will be stated in the advertisement or specifications.

533. Advertisements inviting proposals will ordinarily be issued by the officer who is to make the contract or purchase; in special cases, if competent authority so direct, they may be issued by any other officer.

534. A copy of each advertisement and specification will be promptly forwarded by the officer issuing it directly to the proper bureau of the War Department, together with all information required for a complete understanding of the necessity for the proposed contract or purchase, and in case of notice by circular there will be indorsed on it the names of persons to whom sent, and if issued for a period of less than seven days the reason why a longer period was not allowed will be stated. The forwarding of these notices at time of issuing may be dispensed with at the discretion of the chief of bureau to which the proposed contract or purchase pertains.

PROPOSALS.

535. Information in regard to supplies or services for which proposals have been invited will be furnished, on application, to all persons desiring it, but no person belonging to, or employed in, the military service will render assistance in the preparation of proposals.

536. Bidders for supplies will be informed of the kind, quantity, and quality of articles required, the place, time, and rate of delivery, and conditions of payment. They will be furnished with such specifications as have been adopted, and will be permitted to examine the standard samples at the places where deposited.

537. Bidders for labor will be informed of the nature and extent of the services required, where they are to be performed, and the time allowed for performance. They will be furnished with or allowed to examine plans and specifications of all works upon which they desire to bid, and in general will be furnished with any information needed to enable them to act understandingly.

538. No person will be informed, directly or indirectly, of the name of anyone intending to bid or not to bid, or to whom information in respect to proposals has been given.

539. Proposals should be prepared in duplicate, or in triplicate if required, in strict accordance with the requirements of the advertisement or specifications. They should make specific reference to the advertisement and to any plans or specifications which may have been furnished. Each proposal should give the place of residence and post-office address of the bidder, with county,

State, or Territory, and should be signed by the bidder with his usual signature in full.

540. A proposal by a person who affixes to his signature the word "president," "secretary," "agent," or other designation, without disclosing his principal, is the proposal of the individual. Proposals by a corporation should be signed with the name of the corporation, followed by the signature of the president, secretary, or other person authorized to bind it in the matter, who should file evidence of his authority to do so. Proposals by a firm should be signed with the firm name by one of the members of the firm. If the signature to a proposal is that of an officer, attorney, or agent of the corporation, or of an attorney or agent of a firm or individual, and his authority to act on behalf of his principal is not a matter of general notoriety in the locality where the proposals are opened, the officer who opens such proposals should, before considering the same, satisfy himself that the signer is vested with sufficient authority to represent his principal in the transaction.

541. In proposals numbers and prices will be written in words as well as expressed in figures; but when a great variety of articles, such as stationery, hardware, etc., is required, quantities and prices may, if the amounts involved are inconsiderable and the forms of proposals so indicate, be expressed in figures only. It will be sufficient if specifications are referred to and are declared to form part of the proposal.

542. Erasures or interlineations should be explained by the bidder, in the proposal, over his signature.

543. Guaranties, signed by two responsible parties, or by a qualified surety company, will be required to accompany proposals whenever, in the opinion of the officer authorized to make the contract, they are necessary to protect the public interests, and when so required, no proposal unaccompanied by a guaranty, made in manner and form as directed in the advertisement or specifications, will be considered. At the option of bidders certified checks for the amount of the guaranty required may be received in place of the written guaranty. These checks will be kept in a secure place, and will be returned to bidders by the purchasing officer when no longer required to protect the interests of the Government.

544. The guaranty will be in duplicate, or in triplicate if required, and will be made out and executed with the necessary justification, in accordance with blank forms furnished by chiefs of bureaus. The certificate of sufficiency of guarantors will be executed in the manner prescribed in paragraph 586.

545. Proposals, with their guaranties, will be securely sealed in suitable envelopes indorsed and addressed as required by the advertisement, and must be in the possession of the officer addressed before the hour appointed for the opening. No responsibility will attach to an officer for the premature opening of any proposal not so indorsed as to clearly show its character.

546. When an advertisement calls for proposals to furnish labor or supplies at more than one place, a separate proposal will be made for performance at each place, but all may be submitted in the same envelope.

547. Proposals received prior to the time of opening will be securely kept. The officer whose duty it is to open them will decide when that time has arrived, and no proposal received thereafter will be considered.

548. Before the time for opening any bidder may, without prejudice, withdraw from competition by giving written notice of his decision to the officer holding his bid, and when his bid is reached at the opening it will be returned to him or his authorized agent unread.

549. Proposals will be opened and read aloud at the time and place appointed for the opening (bidders having the right to be present), and each proposal will

then and there be numbered and entered on an abstract, the articles being entered, after the reading of all proposals, and with the least practicable delay, in the order in which they are to appear on the returns. Articles to be procured by contract will be abstracted separately from those to be procured on written acceptance. If the number of proposals is large, those relating to specific articles or classes of articles may be entered on separate abstracts. The number of each proposal, with the quantities and prices of articles offered and dates of delivery, will appear in the proper columns, and a copy of the advertisement or notice under which the proposals are received, with a copy of the specifications, if any, will be attached to the upper left-hand corner of the abstract. When two or more sheets are used for the abstract, they will be properly fastened together and paged on the upper right-hand corner.

550. Proposals will be separately folded and numbered as vouchers to the abstract. They will not be fastened together nor to contracts, except to the copy required to be sent to the Returns Office of the Department of the Interior.

551. When proposals are received at a post, unless by an officer authorized to make the award, as in cases involving small expenditures, they and the abstract will be forwarded to department headquarters, with the recommendations of the receiving officer and the post commander as to the person to whom the award should be made. When a purchasing officer, acting under the direct supervision of a chief of bureau, has invited and received proposals, he will make the award and execute the necessary papers, unless otherwise directed by the chief of bureau.

AWARD.

552. When proposals for supplies for the general service of a department are received at its headquarters, the chief officer of that branch of the staff to which they pertain will submit them to the department commander, and, under his supervision, will make the award and execute the necessary papers, unless, under existing orders, the action of higher authority is necessary.

553. Except in rare cases, when the United States elects to exercise the right to reject proposals, awards will be made to the lowest responsible bidder, provided that his bid is reasonable and that it is in the interest of the Government to accept it.

554. Slight failures on the part of a bidder to comply strictly with the terms of an advertisement should not necessarily lead to the rejection of his bid, but the interests of the Government will be fully considered in making the award.

555. When no guaranty is required, bidders must, if called upon by the awarding officer, furnish satisfactory evidence, before the award is made, of their ability to carry their proposals into effect.

556. The accepted quantity and price will be noted on the abstract of proposals in the column of "Remarks," opposite the name of the bidder. If a bid is rejected and one at a higher price accepted, the reason for the rejection will be written in the column of remarks. When contracts are made, the fact will be stated in the abstract.

ABSTRACTS OF PROPOSALS.

557. A copy of each abstract, in those cases where contracts are to be entered into, made as directed in paragraphs 549, 551, and 556, accompanied by a duplicate of each proposal received, will, as soon as considered, be forwarded to the proper bureau of the War Department. When the purchase of supplies or engagement of services is made through written proposal and written acceptance only, the abstract and proposals need not be forwarded unless specially directed.

FORMS OF AGREEMENT.

558. A purchase of supplies or engagement of services will be made:

1. By contract, "reduced to writing and signed by the contracting parties with their names at the end thereof." Agreements of this character only are termed "contracts" in these regulations. This method will, subject to such exceptions as may be authorized by regulations of particular staff departments, be used when delivery or performance does not immediately follow an award or bargain.

2. By written proposal and written acceptance. This method may be resorted to when delivery or performance immediately follows award or bargain or when specifically authorized by the regulations of the staff department concerned.

3. By oral agreement. This method may be used under circumstances indicated in paragraph 559, if delivery or performance immediately follow the agreement.

559. An open-market purchase of supplies or engagement of services is one made without advertising, and is authorized in the following cases:

1. In an emergency, as when the public exigencies require immediate delivery or performance and there is no time to advertise by newspapers, posters, or circulars.

2. When it is impracticable to secure competition.

3. When proposals have been invited and none have been received.

4. When proposals are above the market price or otherwise unreasonable.

5. When exceptional articles of subsistence supplies are purchased.

6. When the aggregate amount of supplies or services to be procured is less than $500, as authorized by the act of Congress approved June 12, 1906.

560. Before making a purchase in open market the officer will inform himself concerning prevailing prices by inquiry among principal dealers in his locality.

561. Open purchases for the military service on or near an Indian reservation will be made as far as practicable from the Indians, under the conditions set forth in paragraph 487, when fair and reasonable rates, not exceeding the market prices in the locality, can be obtained.

562. Every open-market procurement of supplies or services not personal, from appropriations other than those for rivers and harbors and fortifications under the Engineer Department, exceeding $100 in amount will be reported on the prescribed blank form, in accordance with instructions thereon, to the proper chief of bureau, who will submit such reports to the Secretary of War.

CONTRACTS.

563. Contracts will be made on forms furnished by the chiefs of bureaus, in cases where such forms are applicable, and those forms will be modified only to such extent as is necessary. When modifications are made they must be fully explained over the signatures of the contracting parties. All conditions of the contract will be stated therein as fully and clearly as possible.

564. Contracts will be made in the name of, and will be signed by, the officer designated by the chief of bureau to which the contracts pertain. They will not be made at posts unless ordered by superior authority, and they will not be so ordered unless the stores or services required, of proper quality or kind, can be procured as cheaply there as elsewhere.

565. At territorial department headquarters (Philippine Islands excepted) contracts may be made by chiefs of supply departments for purchasing fuel, forage, fresh meat, ice, fresh vegetables, and other subsistence supplies desig-

nated by proper authority, subject to the approval of the commanding general of the department, to whom the contracts will be forwarded, accompanied by the abstract required by paragraph 549, and who before approval will subject them to careful scrutiny and exercise the intervening authority conferred by paragraph 762. In the Philippine Islands the same authority is extended to the chiefs of supply departments at territorial division and department headquarters, and to the depot commissary at Manila, when making contracts for supplies for the Army and for rendering services other than personal.

566. Purchasing officers of the several staff corps and departments, who are under the direct supervision of the chiefs of their respective bureaus, are authorized to make contracts for the purchase of supplies and for rendering services other than personal, without the approval of the chief of bureau, in such specific cases as may be designated by the chief of bureau.

567. When a contract is entered into with a partnership, the individual names of the partners should be given in the body of the instrument, with the recitation that they are partners composing a firm, which should be named, and it may be signed in the name of the partnership by one of the partners, who will append his own signature as one of the firm.

568. A contract of a corporation should have the name of the corporation written in the body of the instrument, as one of the parties thereto, and should be signed by the officer or person who has been authorized to contract in its behalf, who should sign the corporate name and his own. The contracting officer will, in all cases, satisfy himself that the signer has authority to bind the corporation, and will either require from him satisfactory evidence thereof, and file the same with the contract, or will certify on the contract that he has satisfied himself of the signer's authority and has waived this requirement. If evidence be filed with the contract, it should consist of extracts from the articles of incorporation, the by-laws, or the minutes of the board of directors, duly certified by the custodian of such records under the corporate seal (if there be one), showing the signer to be properly vested with authority to bind the corporation.

569. All contracts will be executed in triplicate. One number is for the Auditor for the War Department, one for the head of the bureau to which the contract pertains, and one for the contractor. Two copies will be made, one for the contracting officer, and the other for the Returns Office of the Department of the Interior.

570. The three numbers of the contract will be forwarded to the head of the proper bureau for examination and for approval, if such approval is required. Should any illegality be discovered, it will be submitted to the Secretary of War.

571. The copy of the contract for the Returns Office of the Department of the Interior will be transmitted directly thereto by the officer who signs the contract, as soon as possible after the contract has been made and approved, and within thirty days, together with one original of all bids, offers, and proposals made by persons to obtain the contract, and by a copy of the advertisement; all of which will be fastened together with a ribbon and seal, and numbered in regular order, with the affidavit of the contracting officer appended in the following form:

I do solemnly swear that the copy of contract hereto annexed is an exact copy of a contract made by me personally with ——— ———; that I made the same fairly, without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said ——— ——— or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided.

572. The number of the contract for the Auditor for the War Department will be sent to him by the head of the bureau to which the contract pertains,

and in case of a purchase made by an officer of the Quartermaster's or Subsistence Department after public notice of seven days or more, this number must be accompanied by a copy of the advertisement, a certificate of the contracting officer as to the time and manner of its publication, and his certificate that the award was made to the lowest responsible bidder for the best and most suitable article.

573. All papers relating to or affecting the performance of any contract will finally be transmitted to the bureau of the War Department to which the contract pertains, except as provided in paragraph 716.

MARKING SUPPLIES BY CONTRACTORS.

574. Contractors furnishing supplies will mark and distinguish them with their names and with such other designations as shall be directed by the purchasing officer.

ARTICLE LII.

BONDS OF DISBURSING OFFICERS, BIDDERS, AND CONTRACTORS.

575. Disbursing officers of the Quartermaster's, Subsistence, and Pay Departments, before entering upon the duties of their respective offices, will give bonds as required by law. Chiefs of bureaus will see that such bonds are examined as to sufficiency of sureties at least once in two years, and renewed once in four years, or more frequently if necessary.

576. Sureties to bonds given by disbursing officers will be bound jointly and severally for the whole amount expressed therein, and must satisfy the Secretary of War that they are worth, jointly, double such amount, each surety making affidavit that he is worth that sum over and above his debts and liabilities, and stating in the affidavit his place of residence.

577. Bonds for the faithful performance of contracts for supplies or service will be required when the consideration is $5,000 or more and the contract can not be fully performed within sixty days from its date.

Bonds may be exacted or, in the discretion of the chiefs of bureaus concerned, waived in all other cases, except that bonds required under paragraph 580 will not be waived.

The amount of penalty in a contractor's bond will be fixed by the contracting officer, and will not be less than one-tenth nor more than the full amount of the consideration of the contract.

578. When bonds for the faithful performance of contracts are exacted they will be made and executed with the necessary justification and certification of sufficiency of sureties, in accordance with the instructions printed on the blank forms of contractors' bonds furnished by the chiefs of bureaus. Such bonds must be executed by the contractor as principal and by a surety company or by at least two sufficient and responsible persons, who must be citizens of the United States, as sureties. Each must affix his signature and seal, and each signature must be attested by at least one witness. When practicable there will be a separate witness to each signature. Sureties to bonds executed in any foreign country, or in the Philippine Islands, Porto Rico, Hawaii, for the performance of contracts entered into in those places, need not be citizens of the United States.

579. Contractors' bonds will be executed in duplicate, one to accompany the number of the contract which is sent to the Auditor for the War Department, and the other forwarded to the head of the bureau to which the contract pertains.

580. When a contract is entered into for the construction of any public building, or the prosecution and completion of any public work, or for repairs on any public building or public work, the contractor will be required, before entering upon performance of the same, to include in the bond given for the faithful performance of the contract the further obligation that he will promptly make payments to all persons who supply him labor and materials for the prosecution of the work provided for in such contract. A certified copy of this contract and bond will be furnished to any person who has supplied such labor or materials, upon his application to the War Department, accompanied by an affidavit that the labor or materials have been supplied by him and have not been paid for by the contractor.

581. A company duly incorporated under the laws of the United States, or of any State, and legally authorized to guarantee bonds, may be accepted as surety, subject to the limitations prescribed in paragraphs 583, 584, and 585. Lists of such surety companies as have conformed to the requirements of law and these regulations will be published from time to time by the War Department. A firm, as such, will not be accepted as surety, nor a partner for a copartner or firm of which he is a member. Stockholders who are not officers of a corporation may be accepted as sureties for such corporation.

582. When the principal of the bond is a corporation, a copy of the record of the selection of the officers executing the bond in its behalf, and a copy of the by-law or other record of the proceedings of the governing body of the corporation, showing their authority to execute the same, will be attached to the bond; these copies to be certified by the custodian of such records, under the seal of the corporation, to be correct copies.

583. Before a corporation will be accepted as surety it must obtain authority in writing from the Attorney General to do business under the act of August 13, 1894; and before it will be accepted as surety on the bond of a principal residing in a State or Territory other than the one in which incorporated it must comply with the requirements of section 2 of said act as to the appointment, etc., of an agent on whom process may be served. The certificate of the Department of Justice will be accepted as to the qualification of surety companies in both respects.

584. Where a corporation is surety on a bond, there must be attached to the bond or filed in the War Department proper evidence of the authority of the person or persons executing the bond in its behalf. The required evidence is a copy of the record of their selection or appointment in the character assumed, together with a copy of the by-laws or other record covering their authority; these copies to be duly certified by the custodian of such records, under the corporate seal, to be correct copies. Where the authority is conferred by a resolution which names the person or persons vested therewith, no other evidence is required; but the copy of the record of the resolution must include a copy of the record of its adoption.

585. 1. Hereafter no surety company shall be accepted under the provisions of the act of Congress approved August 13, 1894, as sole surety on any recognizance, stipulation, bond, or undertaking under the War Department for an amount greater than 10 per centum of its paid-up capital and surplus.

2. No such company shall be accepted as surety on any recognizance, stipulation, bond, or undertaking under the War Department which shall execute any such obligation, on behalf of any individual, firm, association, or corporation, for an amount greater than 10 per centum of its paid-up capital and surplus, unless such company shall be secured as to such excess to the satisfaction of the Secretary of War, by reinsurance, or by deposit with such company in pledge or conveyance to it in trust, for its security or indemnity, of property equal in value to

such excess; or, if such bond is executed in behalf or on account of a fiduciary holding property in a trust capacity, the liability thereon in excess of 10 per centum of the paid-up capital and surplus shall be secured by such deposit or other disposition of a suitable and sufficient portion of the estate so held that no sale, mortgage, pledge, or other disposition can be made thereof without such company's approval: *Provided further*, That such portion of any such bond which shall have been reinsured by said company in another surety, trust, or guaranty company or companies, authorized to do business under the act of Congress of August 13, 1894, shall be deducted from the penal sum of such bond in determining the limitation of risk prescribed herein, if the same is within the 10 per centum limit of said reinsuring company or companies.

3. Two or more companies may be accepted as sureties upon any recognizance, stipulation, bond, or undertaking under the War Department, the penalty of which does not exceed 10 per centum of their aggregate paid-up capital and surplus, but in all cases the sureties must, where the law requires it, execute such obligation jointly and severally.

4. The amount of paid-up capital and surplus of such companies shall be determined by the quarterly financial statements filed with the Attorney General pursuant to section 4 of the act hereinbefore referred to, after copies of such statements have been filed in the War Department.

5. If the amount of said capital and surplus shall at any time during the intervals between the dates of the rendition of such statements, as required by law, become less than the amount determined in the statement last filed, then every such company shall file, within ten days after such diminution of its capital and surplus, a condensed statement, sworn to by one of its principal officers at the home office, showing the nature and extent of such diminution, and the amount of such capital and surplus remaining shall be the basis for risks until the rendition of the next quarterly statement.

6. Every such company shall file in the War Department, during the months of January, April, July, and October of each year, a report giving an itemized statement of all recognizances, stipulations, bonds, or undertakings which such company shall have executed during the previous three months in excess of 10 per centum of its paid-up capital and surplus, showing the character and penalty of such obligations, the nature and amount of indemnity, collateral, or reinsurance thereon, and such other information in regard thereto as may be required.

7. Any violation of the provisions of this order or failure on the part of any company to comply promptly with its requirements will be considered ground for refusing thereafter to accept such company as surety upon any recognizance, stipulation, bond, or undertaking under the War Department, and for recommending to the Attorney General that the authority of such company to do business under the act hereinbefore referred to be revoked.

586. The sureties, if individuals, must jointly justify in double the amount of the penalty. The affidavit of justification must be taken before a person authorized by the laws of the United States, State, Territory, or District to administer oaths. Justification will be followed by the certificate of a judge or clerk of a United States court, a United States district attorney, a United States commissioner, or a judge or clerk of a State court of record, with the seal of said court attached, that the sureties are known to him, and that, to the best of his knowledge and belief, each is worth, over and above all debts and liabilities, the sum stated in his affidavit of justification. If found necessary, separate certificates may be furnished as to each surety. The affidavits of justification of sureties to contractors' bonds executed in any foreign country, or in the Philippine Islands, Porto Rico, or Hawaii, may be taken before a

notary or any other officer having a seal and who by the laws of the place is authorized to administer such oaths, the official seal of the notary or other officer to be affixed. The certification of sufficiency of such sureties may be made by a United States consul, if any, by a notary, or by the judge or clerk of any court in such place having a seal, the official seal of the officer or court to be affixed. The regular blank forms of bonds when used as above will be modified accordingly and the changes will be fully explained over the signatures and seals of all parties to the bond.

587. A guarantor, or the guarantors, to a bidder's guaranty may be accepted as surety, or sureties, to the bond of the same person as contractor, provided such guarantor or guarantors are able to justify as required for the bond.

588. The principal and surety must sign and seal the bond. The corporate seal of the corporation must be affixed to the bond by some person duly authorized, who must also affix the name of the corporation to it, followed by his own signature and official designation written after the word "by." The names and places of business of the principal and surety must be written in the body of the bond.

589. In case of financial embarrassment, failure, or other disqualifying cause on the part of the surety to a bond, the Secretary of War will require the bond to be renewed to his satisfaction, upon notification to the principal. Official bonds may not be renewed at the will of the principal or surety, but only by direction of the Secretary, and the substitution of one corporate company for another as surety on a bond will not be permitted except by direction of the Secretary, or after the bond has run for a period of four years, when a renewal thereof is required by law.

ARTICLE LIII.

Money Accountability.

PUBLIC MONEYS.

590. The use of moneys for purposes other than those for which appropriated, liquidation of liabilities of one fiscal year by use of moneys appropriated for another, and expenditures in a fiscal year of any sum in excess of appropriations for that year, or involving the Government in any contract for future payment of money in excess of appropriations, except as authorized by paragraph 524, are prohibited.

591. Chiefs of bureaus will see that funds in the hands of a disbursing officer are limited to his requirements for a brief period, and that as much as practicable of public moneys placed to his credit is kept with the Treasurer or an assistant treasurer of the United States. Estimates for funds should state the most convenient places of deposit.

592. Lists of national-bank depositaries designated for the use of disbursing officers, with the amounts of securities filed by each with the United States Treasurer, will be published from time to time in orders from the War Department.

593. Where there are two or more designated depositaries in the same place, credit should be so regulated by each disbursing officer there stationed as to maintain, as far as possible (by deposits, disbursements, and transfers), a proportion between the amount of his credit at each depositary and the amount of securities filed by it with the United States Treasurer. Transfers from one depositary to another are not authorized except through the Treasury Department.

DISBURSING OFFICERS.

594. When an officer disburses money in different capacities, his deposits and accounts will be kept distinct, according to the bureaus to which they pertain.

595. Disbursing officers will not pay an account until it is due. In cases of contracts for the performance of service or delivery of articles, payment will not exceed the value of services rendered or articles actually delivered.

596. Public money, subject to disbursement, coming into the hands of an officer from any source will be promptly placed by him to his credit with the Treasurer or an assistant treasurer of the United States, or a duly designated depositary, or else transferred to a disbursing officer of that branch of the public service to which the money pertains. Exceptions to this rule are allowed in the cases and to the extent authorized by paragraph 597, and in cases where an officer, when stationed on the extreme frontier or at a place far remote from depositaries, has been specially authorized by the Secretary of War to keep at his own risk such money as may be intrusted to him for disbursement. Money in hand, subject to disbursement, may be disbursed at once without being placed in depositaries if a payment is due.

597. Recruiting officers and officers doing subsistence duty at posts or independent stations are authorized to keep on hand, at their own risk, moneys pertaining to the appropriation "Subsistence of the Army" in such restricted amounts as may be necessary for facilitating payments of small amounts to public creditors.

When it becomes necessary to draw a check for obtaining subsistence funds to be kept in personal possession, the officer will draw it in his own favor and enter under the heading thereon, "Object for which drawn," or "On account of," the following: "To hold funds in personal possession under A. R. 597." Such checks will not be stated to be for "payments under $20."

598. A disbursing officer who ceases to act as such will, through the chief of his bureau, inform the Secretary of the Treasury at once whether he has any public funds to his credit in any office or bank and, if so, what checks drawn by him against such funds, if any, are still outstanding and unpaid.

He will also comply with the requirements of paragraph 917.

599. The accounts of a bonded disbursing officer must be kept separately under each bond except when the second bond is cumulative, in which case the accounts will be stated under both bonds. When a new bond is given the officer will close his accounts under the former bond and will deposit to the credit of the Treasurer of the United States, or transfer to a bonded officer of the same department who is authorized by law to handle the same class of funds, any unexpended balance before an advance is made under the new bond, in order that the liability of the sureties on the respective bonds may be definitely fixed. In all cases where a transfer is made to a bonded officer there must be an actual transfer of funds and not a mere paper transaction. The date of the bond of a disbursing officer is the date on which it is approved by the Secretary of War, and such date is to appear on all requisitions for funds issued under such bond and also on the account current on which such funds are accounted for.

600. All amounts of money held at the end of each fiscal year by the Treasurer, an assistant treasurer, or a designated depositary, credited to a disbursing officer whose account has remained unchanged, either by deposit or payment, for the space of three years, shall be covered into the Treasury, to be placed to the credit of such officer, if it be found that he is entitled to the credit.

601. No officer disbursing money for the military service, or directing the disbursement thereof, shall be concerned individually, directly or indirectly, in the purchase or sale of any article intended for, used by, or pertaining to the department of the public service in which he is engaged.

602. No officer or clerk of a disbursing officer shall be interested in the purchase of any soldier's certificate of pay due, or any other claim against the United States.

603. Officers or agents in the military service will not purchase supplies for the Government from any other person in the military service, nor contract with any such person to furnish supplies or service to the Government, nor make any Government purchase or contract in which such person shall be admitted to share or receive benefit.

604. If any disbursing officer shall bet at cards or any game of hazard, his commanding officer will suspend his functions, require him to turn over all public funds in his keeping, and will immediately report the case to the proper bureau of the War Department. He will also report the case to the department commander, who will at once convene a court-martial for the trial of the officer.

605. Every disbursing officer, in opening his first account and before issuing any checks, will furnish the depositary on whom the checks are to be drawn with his official signature, duly verified by some officer whose signature is known to the depositary.

606. For every Treasury draft received by a depositary to be placed to the official credit of a disbursing officer, and for every deposit of funds made by the officer to his official credit, subject to payment of his checks, a receipt, numbered in serial order, and giving the place and date of issue, will be furnished him by the depositary, setting forth the character of the funds, i. e., whether coin or currency. If the credit is made by a disbursing officer's check transferring funds, the essential items of the check will be enumerated, and if by a Treasury draft, the warrant number. The title of the officer will be expressed, and the title of the account will also show for what branch of the public service it is kept. The receipt, called "a disbursing officer's receipt," will be retained by the officer in whose favor it is made.

607. An officer is not authorized to insure public money or property, and he will not be allowed credit for any expense paid for the collection of money on checks, except as provided in paragraph 1115 for military attachés serving abroad.

TRANSFERS.

608. Public funds will, as a rule, be transferred as follows: When the accounts are in the same office or bank, the officer making the transfer will draw his check directing the depositary to place a stated amount to the official credit of the officer named on the check. The check will be sent to the depositary and not to the officer in whose favor it is drawn. If it is necessary that the officer to whom the funds are transferred shall receive them without delay, the transferring officer may draw his check and transmit it directly to the payee. In either case an invoice will be sent to the receiving officer, but no receipt will be given by him except for cash transfers. Transfers of public funds from one office or bank to another are made by the Secretary of the Treasury on the recommendation of the Secretary of War.

609. Funds will not be transferred from one appropriation for the use of another by borrowing or otherwise.

CHECKS.

610. A disbursing officer may draw his check in favor of himself (1) to make payments of amounts not exceeding $20; (2) to make payments at a distance from a depositary; or (3) to make payments of fixed salaries due at a certain period. In the first and last named cases the check will be drawn not more than two days before the payments become due. In all other cases the checks will be drawn only in favor of the persons, firms, or corporations, by name, to whom the payments are to be made.

611. On the face of each check that he draws a disbursing officer will state his address, the object of the expenditure, the number or other necessary description of the voucher, and, in case of payment to an officer, enlisted man, or civilian employee, the period for which the payment is made. Such statements will be brief, but clear, as, for instance, "pay," "pay roll," or "payment of troops," adding the post or station; "purchase of subsistence," or of other supplies, naming them; "on contract for construction," mentioning the fortification or other public work for which the payment is made; "payments under $20." Payment is refused on all checks where regulations are not complied with, and report of the fact is made to the Treasury Department. Rubber stamps or the typewriter will not be used to insert the date, payee's name, or the amount of the check issued in payment of a public creditor. The data on the check stub will be the same as on the check to which it relates.

612. Officers serving in and disbursing funds pertaining to more than one staff department, and officers assigned to duty in any of the staff departments, in issuing checks, will confine the designation of their official capacity to their rank and the particular staff department on account of which the checks are drawn.

613. Whenever an original check of a disbursing officer is lost, stolen, or destroyed, the owner will file with the disbursing officer an affidavit explaining the loss and, if the check was for more than $5, an indemnity bond prescribed by the Treasury Department. Upon these papers a duplicate check may be issued after the expiration of six months and within three fiscal years from the date of issue of the original, and such duplicate check, with the affidavit (and bond, when bond is required), will be forwarded to the Secretary of the Treasury for approval; provided that when the amount does not exceed $50 the duplicate check may be issued at any time after the expiration of thirty days and within three fiscal years from the date of the original. In case the disbursing officer who issued the original check is no longer in the service, the notice and proof of loss (and the indemnity bond when bond is required) will be sent to the Secretary of the Treasury, and it becomes the duty of the proper accounting officer, under section 3647, Revised Statutes, to state an account in favor of the owner of the lost check and to charge the amount thereof to the account of the disbursing officer. Instructions for the execution and use of the affidavit and bond accompany the blank form furnished by the Treasury Department.

614. In case of death, resignation, or removal from active service of a disbursing officer, checks previously drawn by him will be paid from the funds to his credit, unless such checks were drawn more than four months before their presentation, or reasons exist for suspecting fraud. A check previously drawn by him and not presented for payment within four months of its date will not be paid until its correctness shall have been attested by the Comptroller of the Treasury or by his chief clerk.

615. A check drawn by a disbursing officer still in active service, presented before it shall have been issued three full fiscal years, will be paid in the usual manner by the office or bank on which it is drawn, and from funds to the credit of the drawer.

616. Upon receipt of the statement of his disbursing account for the month of June of each year, from the office or bank in which his funds are kept, each disbursing officer will immediately make a return to the Secretary of the Treasury, through the chief of his bureau, of all checks drawn by him which have been outstanding and unpaid for three full fiscal years on June 30 of that year, stating the number of each check, its date and amount; in whose favor, on what office or bank, and for what purpose drawn; the number of the voucher in payment of which it was drawn, and, if known, the address of the payee, and he will inclose in the return all checks described therein that may be in his possession.

617. At the close of each fiscal year all amounts remaining to the credit of a disbursing officer, represented by checks or drafts drawn upon the Treasurer, an assistant treasurer, or any designated depositary, three or more years prior thereto, will be covered into the Treasury and there stand to the credit of the payees in an appropriation account denominated "outstanding liabilities."

618. A check which has been issued for a period longer than three full fiscal years will be paid only by the settlement of an account in the Treasury Department. For this purpose an officer who receives such a check will transmit it, through the proper channels, to the Secretary of the Treasury. If a check is lost, proof of ownership and loss and a bond of indemnity will be furnished.

OFFICIAL CHECK BOOKS.

619. Official check books are issued by the Treasurer and assistant treasurers of the United States directly to disbursing officers who have public money on deposit with them. Rules for issue, transfer, etc., of these check books accompany each book. In making payments only official checks will be used.

620. Official check books on national-bank depositaries are furnished by chiefs of bureaus, by whom records of blank checks issued will be kept and to whom unused checks will be returned. Rules for issue, transfer, etc., of these check books accompany each book. The chief of bureau issuing a check book on a national-bank depositary will keep a complete record of its size, its character, the serial numbers of its checks, and when and to whom issued.

When an officer transfers such book, or any of its unused checks, he will immediately advise the chief of bureau by whom it was issued of the serial numbers, inclusive, so transferred, forwarding a receipt therefor, that the necessary change in the record may be made. When an officer ceases to act as a disbursing officer or agent he should transfer all unused checks to his successor as above provided, or, if there be no successor, return them to the chief of bureau by whom issued. Should any officer make an erasure or alteration of any of his checks, however slight, he will certify to the correctness of such erasure or alteration on the upper margin of such check.

621. Mutilated or spoiled official checks upon the United States Treasurer or an assistant treasurer will be forwarded promptly to the office to which they pertain, but mutilated or spoiled checks upon a national-bank depositary will be forwarded promptly, for preservation and future reference, to the chief of bureau by whom issued, who will acknowledge the receipt of such checks. In either case a record of the dates of both cancellation and transmission will be entered on the stub.

CERTIFICATES OF DEPOSIT.

622. Public moneys are transferred to the general Treasury by being deposited to the "credit of the Treasurer of the United States," either at the Treasurer's office, or at the office of one of the assistant treasurers, or at one of the designated depositaries. All "miscellaneous receipts on account of proceeds of Government property" (paragraph 629) must be deposited; also, when required by chiefs of bureaus to which the funds pertain, the public moneys in the possession of or to the credit of disbursing officers or others. For each deposit made a "certificate of deposit" in duplicate will be given, showing the full name, rank, regiment, or corps of the depositor, and to what appropriation or fund the amount belongs, the depositor giving the necessary information when making the deposit.

623. The "originals" of all certificates of deposit are required by law to be forwarded by the depositaries directly to the Secretary of the Treasury; the "duplicates" will be filed by the depositing officers with their retained papers. Immediately upon making a deposit to the credit of the Treasurer of the United States the depositing officer will notify the proper chief of bureau of the fact, stating the name of the depositary, the amount, the appropriation to which the money pertains, when known, and whether the amount arose from proceeds of sales, or is a repayment of an unexpended balance, or a refundment on account of an error in the accounts or returns. The number of the certificate of deposit will also be stated if known, but the report will not be delayed for the purpose of obtaining such number. If the deposit is on account of the indebtedness of any person other than the depositing officer, the source from which the money was derived and the object of the payment will be distinctly stated and reference made to the vouchers, if any, to which the deposit pertains.

624. A disbursing officer of one staff department making stoppages on account of the funds or property of another staff department will, in the absence of special instructions to the contrary, deposit the funds so received, and not leave them to be transferred upon the settlement of his accounts at the Treasury.

625. Nothing in the two preceding paragraphs will be construed to affect the existing system of depositing collections by paymasters of the Army. Whenever an officer refunds money to the Government by payment to an army paymaster, duplicate descriptive receipts will be issued by the latter for the amount refunded.

The paymaster will, with the least practicable delay, forward, without letter of transmittal, the original receipt directly to the Paymaster General of the Army and furnish the officer with the duplicate.

626. The number, date, and amount of the certificate of deposit, together with the specific appropriation, if named, will be noted on the account current upon which the depositor desires to be credited with the money deposited. Certificates of deposit will not be filed with accounts current. Officers will state in such accounts dates of deposits and name and location of depositary.

627. Certificates of deposit must be recorded in the proper bureaus of the War Department. The "originals," upon their receipt at the Treasury, are immediately forwarded to the Secretary of War, who refers them to the proper bureaus to which the deposits pertain for verification and designation of the appropriation.

PROCEEDS OF SALES.

628. Moneys received from authorized sales of property (except property, other than river and harbor, mentioned in paragraphs 690 and 691 and subsistence stores) will be deposited to the credit of the Treasurer of the United States, and respectively revert to the appropriations out of which originally expended.

But the moneys arising from the authorized dispositions of serviceable ordnance and medical and hospital property and the sales of useless ordnance material are expended under conditions prescribed by law. Proceeds of sales of subsistence supplies are immediately available for the purchase of fresh supplies.

629. The proceeds of sales of all public property the disposition of which is not provided for by the preceding paragraph, after the expenses of sale have been deducted, will be deposited to the credit of the Treasurer of the United States as "Miscellaneous receipts on account of proceeds of Government property," for which certificates of deposit will issue, showing the name, rank, regiment, or corps of the depositor, the nature of the deposit, the kind of property, and the bureau to which it pertained.

630. The transfer of public property from one bureau or department to another is not regarded as a sale. Vouchers for property so transferred will be sent through the chief of the bureau concerned to the proper accounting officer of the Treasury Department for settlement. If credit is received therefor the money may be used to replace the property transferred.

APPROPRIATIONS.

631. The fiscal year ends on June 30. The quarters of the fiscal year are as follows: First quarter, July 1 to September 30; second, October 1 to December 31; third, January 1 to March 31; fourth, April 1 to June 30.

632. Chiefs of bureaus, in notifying officers of remittances, will inform them of the amount remitted under each head of appropriation, giving the designation by fiscal years when necessary.

633. All accounts of a disbursing officer shall be rendered and stated in one consolidated account for each bureau under which he is disbursing, without regard to the number of appropriations or headings involved.

634. Money received and disbursed under the appropriation for contingent expenses of the Army will be accounted for by officers authorized to disburse it, on special accounts current, in which funds belonging to other appropriations will not be entered.

635. When an article purchased is not named in the appropriation act, the purpose for which it is intended determines the appropriation from which payment is made.

636. All public funds on hand at the close of a fiscal year, except those required to pay outstanding liabilities incurred during such year (a schedule of which will, if possible, accompany the last account current for the year), and "no limit" appropriations, will be deposited to the credit of the Treasurer of the United States and the disbursing officer's account closed by a credit for such deposit.

637. An account current, accompanied by abstracts and vouchers, will be forwarded to the chief of the bureau to which it pertains, and a memorandum copy thereof retained by the officer. A disbursing officer who for any reason (e. g., separate bonds, etc.) is required to render separate accounts will keep separate and distinct accounts of his funds in the Government depositaries and will unmistakably designate such several depositary accounts on his vouchers, requisitions, deposits, and accounts current. The balances acknowledged by a disbursing officer and his analyses thereof must actually represent the state of his business at the close of the last day for which the account is rendered. He will so arrange his business that he may, when called upon to do so, close his accounts and analyze his acknowledged balances. All transactions coming within the time covered by the account will be reported therein. No payments or collections not actually made, and not in the hands of the officer during the

period of the account, will be included therein. An officer disbursing in part by cash and drawing official checks to obtain cash to make payments will render with his account current a subsidiary cash account, the balance of which will agree or be reconciled with his cash as shown by his analysis of balance with his account current.

638. Disbursing officers who render accounts which eventually pass to the Treasury Department for settlement are required to prepare their accounts, with abstracts and vouchers complete, and deposit them in the post-office, addressed to the chief of the bureau of the War Department to which they pertain, on or before the 10th day of each month. Irregularities in the mail service or want of blank forms will not excuse a failure to comply with this paragraph. When vouchers are not sent with the account to which they belong, but are subsequently rendered, suitable explanations will be made.

639. Original vouchers will, if possible, accompany the accounts; copies will not be accepted unless duly certified and accompanied by satisfactory evidence of the loss or destruction of the originals, or that their retention is indispensable to the performance of duty by an officer.

640. With the accounts will be forwarded all orders of commanding officers and all other papers upon which the officer accountable relies to relieve himself from responsibility.

641. When an officer is relieved from duty in a staff department at any station he will certify outstanding debts, if any, to his successor, and transmit a list of the same to the head of the proper bureau. Unless otherwise ordered, he will turn over to his successor the public money, property, books, and papers pertaining to the service from which he is relieved.

MONEY VOUCHERS.

642. A voucher will not be made in duplicate or in triplicate unless the instructions on the proper blank require it, in which case the original only will be certified.

643. The correctness of the facts stated on a voucher and the justness of the account must be certified by an officer, except when some other mode of authenticating the same is authorized in these regulations.

644. Every voucher in support of a payment for supplies or for services, except as provided for the Engineer Department in paragraph 645, will be made out in favor of the creditor, giving his address, and will show (if for supplies furnished) the date of the purchase (or the order number), the quantity and price of each article, and the amount, or (if for services) the character of the services, the date or dates on which they were rendered, and the amount. When a purchase is made as a result of a written proposal and a written acceptance, the voucher (if there be only one) will be accompanied by a copy of the public notice, the accepted bid, and a copy of the letter accepting the bid, and will contain a certificate showing that the procurement of the articles or service was made in the manner indicated thereon; if two or more vouchers are made, the papers required will be filed with the first voucher paid and reference thereto made on the other vouchers. A voucher for service rendered by the day or month will show the character of the service, the inclusive dates thereof, the time for which payment is made, the rate of pay, and the amount. The certificate of a creditor to a voucher for supplies furnished or for services rendered will contain the words "I certify that the above bill is correct and just and that payment therefor has not been received."

645. Vouchers for supplies or for services other than by the day or month submitted in support of payments for all work carried on under the Engineer Department will be accompanied by the original bills submitted by the creditor

and dated and signed by him or by his authorized representative, and vouchers with such bills attached will be made out in favor of the creditor, giving his address, and stating the account in general terms, with the aggregate amount only extended, and the words "as per bill hereto attached," or words of like import added, except that such original bills need not be attached to vouchers in the following cases, viz: Where under a contract quantities delivered or amounts due are determined by a duly authorized inspector, and his certificate as to the facts is filed with the voucher to which it pertains; where a bill of lading or transportation request accompanies a voucher for transportation services performed under public tariffs; where a voucher is for telegraphic services at rates fixed by the Postmaster General; when the account is small and the creditor does not submit a bill. The certificate of a creditor to a voucher for supplies furnished or services rendered will contain the words, "I certify that the foregoing account is correct and just and that payment therefor has not been received."

When desirable, the creditor may place the foregoing certificate upon the original bill and, when so placed, the certificate upon the voucher need not be signed, provided that the bill be attached to and made a part of the voucher before the same is signed by the disbursing officer.

646. Money amounts will be expressed in terms of dollars and cents. When a fraction of a cent less than one-half occurs in the footing of a voucher it will be disregarded. If the fraction be one-half or greater it will be reckoned as a cent.

If the agreement calls for foreign currency, the account shall be stated in that currency. The total amount will be reduced to its equivalent in United States currency at the current rate of exchange at the date of payment. The amount in United States currency having been determined, checks may be drawn therefor by disbursing officers to their own orders in United States currency and by them exchanged at local fiscal agencies of the United States where possible, or at local banks, for the necessary amount in the currency or exchange required to pay the creditor in the money originally agreed upon where the creditor declines to accept check payable in currency of the United States.

The vouchers for accounts will be made to show the debt as actually incurred in the coin in which payment is made and the reduction from this coin to United States currency, the rate of exchange being stated on the voucher and the amounts stated on abstracts and account current in United States currency.

647. A voucher for purchases and services not personal will show thereon the mode of purchase or engagement, using the form of notations on the standard prescribed forms.

648. The giving or taking of a receipt for public money in blank or in advance of actual payment, or the signing of a check for public money in blank, is prohibited.

649. A voucher for funds disbursed will be made out in full before being certified by a public creditor. If paid with check no receipt will be required, but if paid with cash one receipt will be obtained.

650. An invoice of funds transferred will show the place and date of transfer, the name and title of the officer to whom transferred, the character of funds, and the amount transferred under each head of appropriation.

If the transfer is of cash, a receipt will be obtained and filed with the account current. If the transfer is for the correction of errors, whether arising upon the settlement of accounts or otherwise, the facts will be noted in detail on the invoice.

651. A voucher for a payment made or an invoice for money transferred will have noted thereon the number, date, and amount of checks given and the

depositary on which drawn. If payment or transfer is made with currency, wholly or in part, the facts will be stated and a receipt given for the currency.

652. Vouchers must be stated in the name of the corporation, company, firm, or person rendering the service or furnishing the articles for which payment is made.

653. Payment with currency will not be made to the holder of a power of attorney or to a holder of an instrument operating as a transfer or an assignment.

If payment with currency is made to an incorporated or to an unincorporated company, the money will be delivered to and the voucher certified and receipted by a duly authorized officer or agent of the company; the certificate and receipt to be signed with the company name, followed by the autograph signature of the officer, with his title, or of the agent, to whom the money was delivered, and the receipted voucher will be accompanied by evidence showing his authority. This evidence will consist of extracts from the articles of incorporation or association, the by-laws, or the minutes of the board of directors, duly certified by the custodian of such records (under the company seal, if there be one), showing that the signer is properly vested with authority to receive and receipt for money due to the company.

If payment of currency is made to an individual or to a copartnership doing business under a company title, the certificate and receipt will be signed with the company name, followed by the autograph signature of the individual proprietor or of one of the members of the firm with the words "proprietor" or "one of the proprietors" affixed thereto.

If payment with currency is made to a copartnership doing business as such, the certificate and receipt will be signed with the firm's usual signature by one of the members of the firm, who will be required to affix his own signature as "one of the firm."

If payment with currency is made to an individual creditor, the certificate and receipt will be signed by him in person.

654. If payment is made with check to the order of any company (incorporated or unincorporated), or firm or individual by name, and the fact that the check has been so drawn is stated on the voucher, giving its number, date, amount, and United States depositary on which drawn, the certificate to the voucher may be signed by an officer, attorney, or agent of the company, or by an attorney or agent of the firm or individual, stating the capacity in which he signs, without filing with the voucher evidence of his authority to sign. The disbursing officer in all such cases will deliver the check to such person only as he is satisfied is authorized by the principal to certify to the voucher and receive the check.

655. Receipts for small sums paid with currency to a corporation, such as a railroad, telegraph, turnpike, transfer, express, steamboat, hotel, newspaper, or ice company, for an occasional service rendered may be signed and the vouchers certified by the local agent in charge of the business of the company at the place where the service is rendered or where it begins or terminates, and the certificate of the officer who made the payment that the person to whom payment was thus made was then the local agent of the company in charge of its business at the place designated will be sufficient evidence of the agent's authority to certify to the vouchers and to receipt for the money paid.

656. When an account is presented by an individual who is not known to the disbursing officer, the latter will require him to be identified.

657. The form of the signature to the certificate, and to the receipt when required, and the name of the person or business firm as entered at the head of an account must be literally alike.

658. When a signature is not written by the hand of the party it must be witnessed by a disinterested party, a commissioned officer when practicable.

659. In final statements, receipts for money, and papers of like character, money amounts will, in all cases, be written out in full and also expressed by figures in parentheses. This requirement does not apply to pay rolls of military organizations and pay rolls of other descriptions.

660. Fees of civil officers for administering oaths in matters of military administration (where the services of judge advocates of departments, or of courts-martial, or trial officers of summary courts were not obtainable) will be paid from the appropriation applicable to the subject-matter of the oaths, and in case there be no appropriation applicable thereto, the fees will be paid by the Quartermaster's Department.

661. Disbursing officers will not issue vouchers for unpaid accounts as due-bills against the United States, but a certified statement of personal services and of wages due may be given to a discharged employee who for want of funds was not paid at time of discharge.

662. When applicable, the following rules for the computation of time in payment for services will be observed:

1. For any full calendar month's service, at a stipulated monthly rate of compensation, payment will be made at such stipulated rate without regard to the number of days in that month.

2. When service commences on an intermediate day of the month, thirty days will be assumed as the length of the month whatever be the number of days therein.

3. When the service terminates on an intermediate day of the month, the actual number of days during which service was rendered in that calendar month will be allowed.

4. When the service embraces two or more months or parts of months but one fraction will be made, thus: From September 21 to November 25, inclusive, will be calculated—September 21 to October 20, inclusive, one month; from October 21 to November 20, inclusive, one month; from November 21 to 25, inclusive, five days, making the time allowed two months and five days.

5. When two fractions of months occur and both are less than a whole month, as from August 21 to September 10, the time will be determined thus: August 21 to 30, inclusive (ignoring the 31st), ten days; from September 1 to 10, inclusive, ten days; making the time allowed twenty days.

6. Service commencing in February will be calculated as though the month contained thirty days, thus: From February 21 to 28 (or 29), inclusive, ten days. When the service commences on the 28th day of that month, three days will be allowed, and if on the 29th, two days.

7. If service commences on the 31st day of any month, payment will not be made for that day.

8. For commutation of subsistence and for services of persons employed at a per diem rate payment will be made for the actual number of days.

9. When services are rendered from one given date to another, the account will state clearly whether both dates are included.

10. In computing the wages of persons employed at a per diem allowance the day on which service begins and the day on which it ends will be allowed in the computation.

11. Unauthorized absence on the 31st day of a month results in the loss of one day's pay.

663. Disbursing officers, except those serving in the Philippine Islands, will not settle with heirs, executors, or administrators except by authority of the proper bureau of the War Department, and upon accounts that have been duly audited and certified by the proper accounting officers of the Treasury.

In the Philippine Islands disbursing officers may settle directly with executors or administrators upon accounts accruing in those islands, which are accompanied by the duly attested copies of the decrees appointing said executors or administrators, in conformity with the civil laws of the archipelago governing such matters. The settlement thus made by any disbursing officer is, however, subject to review by the accounting officers of the Treasury when his accounts shall come before them for adjustment.

PECUNIARY RESPONSIBILITY OF OFFICERS.

664. An officer will have credit for an expenditure of money made in obedience to the order of his commanding officer. Every order issued by any military authority which may cause an expenditure of money in a staff department will be given in writing. One copy thereof will be forwarded by the officer receiving it to the head of his department, and the other will be filed by the disbursing officer with his voucher for the disbursement. If the expenditure be disallowed, it will be charged to the officer who ordered it.

665. If a payment made on the certificate of an officer as to the facts is afterwards disallowed for error of fact in the certificate, it will pass to the credit of the disbursing officer and be charged to the officer who gave the certificate; but the disbursing officer can not protect himself in an erroneous payment made without due care by charging lack of care against the officer who gave the certificate.

ADMINISTRATIVE EXAMINATION OF MONEY ACCOUNTS.

666. The chief of a bureau to which accounts pertain will cause each account current, with its accompanying papers, to be examined and transmitted to the Treasury Department, with his decision indorsed thereon, within sixty days from the date on which such account was received at his office. He will bring to the notice of the Secretary of War all matters of account that require or merit it. When a suspension or disallowance is made, the bureau will notify the officer that he may have an opportunity to submit explanations or take an appeal to the Secretary of War.

667. In case of discovered error or disallowance in an account upon its examination by the proper authority, the officer responsible will, upon notification thereof, unless able to furnish evidence to correct or remove the same, make the proper correction in his next account current, and refer therein to the particular voucher in which the error occurred or the disallowance was made.

ARTICLE LIV.

Public Property Accountability and Responsibility.

GENERAL PROVISIONS.

668. Accountability and responsibility devolve upon any person to whom public property is intrusted and who is required to make returns therefor. Responsibility without accountability devolves upon one to whom such property is intrusted, but who is not required to make returns therefor. An accountable officer is relieved from responsibility for property for which he holds a proper memorandum receipt. A responsible officer is not relieved from responsibility for public property for which he has given memorandum receipt until he has returned the property to the accountable officer or has secured memorandum

receipt from a successor, or until he has otherwise been relieved by the operation of regulations or orders.

669. The officer in permanent or temporary command of a post or station is responsible for the security of all public property of the command, whether in use or in store, and, although for purposes of periodical accountability to the War Department it may all have been officially receipted for by subordinate officers, the commanding officer is nevertheless responsible and pecuniarily liable with them for the strict observance of the regulations in regard to its preservation, use, and issue. He will take care that all storehouses are properly guarded, that only reliable agents are employed, and only trustworthy enlisted men are detailed for duty in them or in connection with property.

670. If an officer in charge of the public property of a command (not properly pertaining to a company or detachment) is, by order, leave of absence, or any other cause separated from it, the commanding officer, or an officer designated by him, will receipt and account for it.

671. If it becomes necessary to remove all officers from the charge of public property, the commanding officer will take measures to secure it and report the circumstances to the proper authority.

672. A company or detachment commander is responsible for all public property pertaining to his company or detachment, and will not transfer his accountability therefor to a successor during periods of absence of less than a month unless so ordered by competent authority; when such absence exceeds a month, the question of responsibility is settled by the proper authority.

673. The officer in temporary or permanent command of a company or detachment is responsible for all public property used by or in possession of the command, whether he receipts for it or not.

674. The property responsibility of a company commander can not be transferred to enlisted men. It is his duty to attend personally to its security, and to superintend issues himself or cause them to be superintended by a commissioned officer.

675. An officer will not when it can be avoided be detailed for duty which will separate him from public property for which he is accountable.

676. A transfer of public property involves a change of possession and accountability. In ordinary cases of transfer the transferring officer will furnish the receiving officer with invoices in duplicate, accurately enumerating the property, and the latter will return duplicate receipts. In cases in which complete transfer of property occurs, instead of exchanging separate invoices and receipts, as above provided, the receiving officer may make direct entry on the final return (both original and duplicate) of his predecessor that all the property thereon enumerated as on hand and transferred to successor was received by him. The transferring officer may make similar entry on his final return, stating that all the property therein enumerated as on hand and transferred to successor was actually turned over by him.

677. When an officer to whom stores have been forwarded believes them to have miscarried he will promptly inform the issuing and forwarding officers.

678. If an officer to whom public property has been transferred fails to receipt for it within a reasonable time, the invoicing officer will report the facts to the commanding officer of the former for action. Copies of all papers relating to the transaction will be filed with his returns.

679. Upon the receipt of public property by an officer he will make careful examination to ascertain its quality and condition, but will not break original packages until issues or sales are to be made, unless he has reason to believe the contents defective. Should he discover defect or shortage, he will apply for a survey to determine it and fix the responsibility. Should he consider the

property unfit for use, he will submit inventories in triplicate and request the action of an inspector. The same rule will be observed in regard to packages when first opened for issue or sale, and for property damaged or missing while in store.

680. When packages of supplies are opened for the first time, whether because of apparent defect or for issue, the officer responsible or some other commissioned officer will be present and verify the contents by actual weight, count, or measurement, as circumstances may require, and in case of deficiency or damage will make written report of the facts to the post commander. If only the officer responsible be present and make the report, he will secure the sworn statements in writing of one or more civilians or enlisted men regarding the condition of the property when examined. Should a survey be ordered, the post commander will refer to the surveying officer the report made by the examining officer, together with the sworn statements. At arsenals and depots, where there are persons whose special duty it is to receive and issue public stores, the reports herein required may be made by them instead of officers of the Army.

681. The giving or taking of receipts in blank for public property is prohibited.

682. Supplies procured by one bureau will not be furnished to another bureau except on special authority of the Secretary of War, except in the Philippines Division, where the authority of the division commander is sufficient. When restored in kind the supplies will be delivered at the post from which they were received or at such other post as department commanders or chiefs of bureaus concerned may determine. If the transaction is between two bureaus of the War Department or between a bureau of the War Department and a bureau of another Executive Department, vouchers for payment will be sent directly, through the proper bureau, to the proper accounting officer of the Treasury Department for settlement. When the transaction is between two bureaus of the War Department, the prices to be charged will be regulated by the contract or invoice price of the stores. When the transaction is between a bureau of the War Department and a bureau of another Executive Department, the price to be charged will include the contract or invoice price and the cost of transportation, and in case of subsistence stores 10 per centum additional to cover wastage in transit.

683. In no case will means of transportation or other property of any branch of the military service be taken as a part of the outfit of surveying or exploring expeditions for which Congress has made appropriations, without the express authority of the Secretary of War.

684. When it is impracticable for an officer to personally superintend his issues—as may be the case with one charged with disbursements or the care of depots—he should choose with great caution the agent to whom he intrusts the duty.

685. The keys of storerooms or chests will not be intrusted to enlisted men or civilians without great vigilance on the part of the accountable officer and a resort to every reasonable precaution, including frequent personal inspections, to prevent loss or damage.

686. An officer in charge of public property in use or in store will endeavor by timely repairs to keep it in serviceable condition. For this purpose the necessary means will be allowed on requisition, and property in store so repaired will be issued.

687. All movable public property will, if practicable, be conspicuously branded "U. S." before being used.

688. Public property will not be used nor will labor hired for the Government be employed for any private purpose whatsoever, except as authorized in these regulations.

689. Unserviceable property is, with reference to its disposition, divided into classes as follows:

1. Property worn out by fair wear and tear in the service which has no salable value.

2. Property worn out by fair wear and tear in the service which presumably has some salable value.

3. Property which has been rendered unserviceable from causes other than fair wear and tear in the service.

Property of the first class may be submitted to a surveying officer and disposed of as indicated in paragraph 728, or it may be submitted to an inspector without prior action of a surveying officer.

Property of the second class will be submitted to an inspector without prior action of a surveying officer.

Property of the third class will be submitted to a surveying officer, except as provided in paragraph 1089 in case of public animals, and unless destroyed under the provisions of paragraph 728 will subsequently be submitted to an inspector. The inventory and inspection reports will be accompanied by the report of the surveying officer.

690. Empty barrels, boxes, crates, and other packages, together with metal turnings, scrap metals, ground bone, and other waste products which accumulate at arsenals, depots, and military posts, which are unsuitable for the public service, will be disposed of in the manner prescribed for property condemned and ordered sold in paragraph 691. At arsenals and depots where such accumulations have considerable money value proposals will be invited for specific lots and quantities, or for the accumulations of definite periods, as the head of the department to which the property pertains may deem best suited to the public interest.

691. Military stores and public property condemned and ordered sold will be disposed of for cash at auction, or to the highest bidder on sealed proposals, on due public notice, and in such market as the public interests may require. The officer making the sale will suspend it when in his opinion better prices can be obtained, except in the case of condemned animals, the disposition of which is provided for in paragraph 1089. The auctioneer's certified detailed account of the sale, and the vouchers for the expenses attending it, will be reported on the proper forms to the chief of the bureau to which the property pertained, and a copy of the auctioneer's detailed account of the sale will be furnished the Inspector General.

692. Public property which has been condemned, or the issue price of which has been reduced as the result of a survey or inspection, will not be purchased by an officer who was responsible therefor at the time of condemnation or reduction of price, nor by an officer who bore any part in such condemnation or reduction.

PROPERTY DAMAGED, LOST, DESTROYED—REWARDS.

693. Causes of damage to, and of loss and destruction of, military property are classified as follows:

1. Unavoidable causes, being those over which the responsible officers have no control, occurring (*a*) in the ordinary course of service, or (*b*) as incident to an active campaign.

2. Avoidable causes, being those due to carelessness, willfulness, or neglect.

694. Officers responsible for public property will be charged for any damage to or loss or destruction of the same, and the money value will be deducted from their monthly pay, unless they show, to the satisfaction of the Secretary of War, by their own affidavits, or by their certificates, supported by one or more affidavits, that the damage, loss, or destruction was occasioned by unavoidable causes and without fault or neglect on their part.

695. The proper officers to administer oaths in the administration of the affairs of the Army (except when otherwise specially provided) are judge advocates of departments, judge advocates of courts-martial, the trial officers of summary courts, and in the cases of investigations, the officer detailed to conduct the investigation, or the recorder, and if there be none, the presiding officer of any board appointed for such purpose. When none of these are within reach and available, recourse must be had to a notary public or other civil officer competent to administer oaths for general purposes.

696. If an article of public property be lost or damaged by the neglect or fault of any officer or soldier, he shall pay the value thereof, or the cost of repairs, at such rates as may be determined by a survey of the property.

697. The amount charged against an enlisted man on the pay rolls on account of loss or damage of, or repairs to, Government property shall not exceed the value of the article or cost of repairs; and such charge will only be made on conclusive proof, and never without a survey, if the soldier demand it. He will be informed at the time of signing the pay rolls that his signature will be regarded as an acknowledgment of the justice of the charge.

698. When a deserter carries away public property, or when such property is lost through his desertion, its value will be determined by a survey and charged against him on the next pay rolls, as prescribed in paragraph 116 of these regulations.

699. If articles of public property are embezzled, or lost or damaged through neglect, by a civilian employee, the value or damage as ascertained (and by a survey if necessary) shall be charged to him and set against any pay or money due him.

700. Whenever information is received that animals or other property belonging to the military service of the United States are unlawfully in the possession of any person not in the military service, the quartermaster or other proper officer will promptly cause proceedings to be instituted and diligently prosecuted before the civil authorities for the recovery of the property; and, if the same has been stolen, for the arrest, trial, conviction, and due punishment of the offender and his accomplices.

701. Upon satisfactory information that such United States property, unlawfully in the possession of any parties, is likely to be taken away, concealed, or otherwise disposed of before the necessary proceedings can be had in the civil tribunals for its recovery, the post or detachment commander will at once cause the same to be seized, and will hold it subject to any legal proceedings that may be instituted by other parties. Persons caught in the act of stealing public property will be summarily arrested by the troops and turned over to the civil authorities for trial.

702. When public property has been lost or stolen and the officer responsible therefor has failed to get possession of it by the ordinary means, the post commander may authorize the quartermaster to offer a reward for its recovery, such reward not to exceed one-fifth of the value of the property lost or stolen, and in no case shall it exceed $50. If the property has been stolen, the reward shall include payment for such information as the claimant possesses in regard to the larceny and recovery of the property as may lead to a conviction of the guilty party.

703. The expenses necessarily incurred by any action under the three preceding paragraphs, with the exception of attorney's fees, will be paid by the Quartermaster's Department, upon proper vouchers approved by the department commander. Officers will promptly report their action to department headquarters.

PROPERTY ACCOUNTABILITY.

704. All public property, whether paid for or not, must be accounted for on the proper returns. All public property unaccounted for when discovered by an accountable officer will be taken up and the usual returns rendered therefor. When discovered by officers not accountable for that class of property, or by enlisted men or civilian employees, they shall report the same as soon as practicable to an officer so accountable, who will take it up and account for it. In the absence of such an accountable officer the senior officer, enlisted man, or civilian employee present will take charge of such property and report it to the commander of the department wherein it may be located with a view to its proper disposition.

705. An officer accountable for the public property of two or more companies will account for that pertaining to each, except quartermaster supplies, on a separate return.

706. Accountability for public property will not be transferred to enlisted men, except to sergeants of the post noncommissioned staff at ungarrisoned posts and sergeants of the Signal Corps or enlisted men acting as such.

707. Vouchers for issues or expenditures of property not authorized by regulations will be accompanied by copies of the orders directing the issues or expenditures.

708. An officer will have credit for an expenditure of property made in obedience to the order of his commanding officer. If the expenditure is disallowed, it will be charged to the officer who ordered it.

709. Public property expended in the military service will be accounted for by the certificate of the responsible officer, and property lost or destroyed will be accounted for by the affidavit of the responsible officer or by his certificate, supported by one or more affidavits. These certificates and affidavits will accompany the return covering the period during which the expenditure occurred or the loss or destruction was discovered; but in exceptional cases, when it is impracticable to submit such certificates and affidavits with the return, these delayed vouchers, together with the reasons for not transmitting the same, will be specified upon the return, and they will be forwarded, as soon as practicable, properly numbered and indorsed, to the proper bureau of the War Department.

710. When an enlisted man has, by a court-martial, been convicted of losing or damaging public property, the officer accountable for the property will send with his property return a certified copy of so much of the court-martial order as refers to the case, giving number, date, and place of issue of the order, and stating on the face of said copy the rolls on which the charges are made.

711. Should an officer or agent of the Government charged with public property fail to render the prescribed returns thereof within a reasonable time, a settlement of his accounts will be made by the proper bureau of the War Department, and the money value of the property with which he is charged will be reported against him for stoppage.

712. All returns of stores or supplies will be rendered as required by regulations or orders. Those of subsistence stores and subsistence property will be forwarded within ten days after the expiration of the accounting periods and those of other classes of stores and property within twenty days to the chiefs of bureaus to which they pertain. In cases in which complete transfer of prop-

erty from one officer to another occurs within an accounting period, a return will be forwarded by the officer making the transfer within twenty days after the date of such transfer; but when ordnance property is transferred by a commanding officer of an ordnance establishment, or by an artillery district ordnance officer, within an accounting period, the transfer of accountability will be made on the current return, which will be completed and rendered by the officer accountable at the close of the accounting period.

ADMINISTRATIVE EXAMINATION OF PROPERTY RETURNS.

713. As soon as possible after the receipt of a return by the proper chief of bureau, it will be examined in his office, and the officer making the return will be notified of all errors and irregularities found therein and granted three months to correct them. Suspensions or disallowances will not be made on account of slight informalities which do not affect the validity of a voucher, but the officer's attention may be called to them. Whenever the errors have been corrected or compensation has been made for deficient articles, and the action of the bureau chief is sustained or modified by the Secretary of War, the return will be regarded as settled, and the officer who rendered it will be notified accordingly.

714. If the necessary corrections in the return be not made within the prescribed time, the facts will be reported to the Secretary of War. When it shall have been determined that the money value of the property for which an officer has failed to account shall be refunded to the United States, the proper chief of bureau will forward to the Auditor for the War Department a certificate setting forth the condition of the officer's property return, with the statement that it includes all charges made up to its date and not previously certified, and that he has had a reasonable opportunity to be heard and has not been relieved of responsibility. Such certificate, when received, will raise a charge on the books of the Treasury Department against the officer until refundment shall have been made.

ARTICLE LV.

LANDS, BUILDINGS, AND IMPROVEMENTS.

715. Land shall not be purchased for the United States except under an act of Congress authorizing the purchase, nor shall public money be expended for the erection of armories, arsenals, forts, fortifications, or permanent buildings of any description thereon, until the written opinion of the Attorney General shall have been obtained announcing the validity of the title thereof in the Government, nor, if the land be within any State, until jurisdiction over it shall have been ceded to the United States by the legislature of the State, or such cession of jurisdiction shall have been expressly waived by Congress.

716. All papers relating to the Washington Aqueduct and public buildings and grounds in the District of Columbia will be filed in the office of the Chief of Engineers. All other deeds and papers pertaining to the title or sale of, and any lease, grant, license, or easement of, upon, or over any military reservation or other lands under the jurisdiction of the War Department will be filed in the office of the Judge Advocate General. When any such papers come into the possession of any bureau they shall within five days thereafter be transferred to the office of the Judge Advocate General.

717. Permanent military buildings will be constructed only under special authority granted by an act of Congress, unless the work or labor connected therewith is performed by troops, and in such case the authority of Congress must first be obtained if the estimated cost of the building or structure exceeds $20,000.

718. Permanent barracks, quarters, or other buildings, or piers or wharves, will not be erected or constructed except by the order of the Secretary of War, and in accordance with plans approved by him; nor will any material alterations be made in public buildings unless like authority is first obtained; nor will any expenditures exceeding $500 be made upon any building or grounds at any post, fort, arsenal, or depot without the approval of the Secretary of War and upon detailed estimates submitted to him.

719. A copy of the plat of the lands at each post, fort, arsenal, and depot, furnished from the proper bureau, will be carefully preserved in the office of the commanding officer.

720. Whenever a public building at a military post or station in the United States is destroyed or seriously damaged by fire, storm, or other natural cause, the post or station commander will make immediate report of that fact by telegraph directly to The Adjutant General of the Army, stating the numerical or other designation of the building involved and the date and cause of the destruction or damage, and will make a like report to the department commander if the post or station is under his command. When the destruction or damage occurs at a general depot of supply, a general hospital, or an arsenal or armory, or involves a building owned or leased by the Government and used for military purposes but not located on a military reservation, the officer in charge, in addition to making the telegraphic report hereinbefore prescribed to the head of the staff bureau of the War Department to which any such building may pertain, will make a like report by telegraph directly to The Adjutant General of the Army.

In the Philippines Division telegraphic report of the damage or destruction of such buildings will be made to the division commander, who will cable the report to The Adjutant General of the Army if the case is of more than minor importance.

In addition to the foregoing, the estimated damage and the cost of repairs or reconstruction will be reported upon by a board of officers, to be appointed for the purpose by the post commander when the building is located at a military post, and to be appointed in orders from the office of The Adjutant General of the Army in all other cases, except in the Philippines Division where the board will be appointed by the division commander. In the event that the destruction or damage is not due to natural causes, the board will make a thorough investigation with a view to fixing the responsibility for such destruction or damage, and will make such recommendation with respect thereto as the case may demand. The report of the board will be forwarded, through military channels, to The Adjutant General of the Army.

The action contemplated by this paragraph will apply, as far as practicable, in the case of loss or destruction of or damage to an army transport, army mine planter, cable ship, or other vessel owned or operated by the War Department.

ARTICLE LVI.

Surveys on Property.

721. Public property which has been damaged, except by fair wear and tear, or is unsuitable for the service, before being submitted to an inspector for condemnation, will be surveyed by a disinterested officer, preferably the summary court officer.

722. The surveying officer will be designated by the commanding officer of the regiment, separate battalion, post, or station. Such officer may, however, be appointed by the commanding officer of a territorial division or department,

an army corps, division, or brigade. If none but the commanding officer and interested officers be present for duty, then the commanding officer will survey the property. When only the responsible or interested officer is present, he will not appoint himself surveying officer, but will furnish the next higher commander his certificate of facts and circumstances, supported by the sworn testimony of witnesses, or by the affidavits of enlisted men or others who are cognizant thereof. Should the case thus presented not be considered satisfactory, or in a case in which only interested officers with opposing interests are present for duty at the post or station, the next higher commander may make the necessary investigation. In cases where the property in question has been previously acted upon, the officer making the investigation will be so informed and the previous reports will be considered.

723. The surveying officer must fully investigate matters submitted to him. He will call for all evidence attainable, and will not limit his inquiries to proofs or statements presented by parties in interest. He will rigidly scrutinize the evidence, especially in cases of alleged theft or embezzlement, and will not recommend the relief of officers or soldiers from responsibility unless fully satisfied that those charged with the care of property have performed their whole duty in regard to it. He should hear in person or by deposition all persons concerned in the subject-matter before him. In no case, however, will his report take the place of the evidence required in paragraph 694.

724. The person responsible for public property to be surveyed will, in all cases, furnish the original certificates and affidavits upon which he relies to be relieved from responsibility, together with the duly attested copies of such certificates and affidavits that are to accompany the report of survey. Whenever loss or destruction of, or damage to, public property, requiring the action of a surveying officer, occurs, such action will be requested by the responsible officer as soon as practicable and in every case within thirty days after discovery of the loss, destruction, or damage, unless exceptional circumstances, which will be explained by the officer's certificates, prevent such action within that period.

725. Any officer of the Army detailed to conduct an investigation, and the recorder, and, if there be none, the presiding officer of any military board appointed for such purpose, shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation.

726. The surveying officer can not condemn public property. His action is purely advisory. He will ascertain and report facts, submitting opinions and making recommendations upon questions of responsibility which may arise through accident, mistake, or neglect. For example, he investigates and determines questions involving the character, amount, and cause of damage or deficiency which public property may have sustained in transit, store, or use, and which is not the result of ordinary wear and tear of the service, and reports the investigation made, his opinions thereon, and fixes responsibility for such damage or deficiency upon the proper party. He makes inventories of property ordered to be abandoned when the articles have not been enumerated in the orders for abandonment. He recommends the prices at which damaged clothing may be issued and the proportion in which supplies shall be issued in consequence of damage or deterioration that renders them, at the usual rate, unequal to the regulation allowance, fixing in each instance responsibility for actual condition. He verifies the discrepancy between invoices and the actual quantity or description of property transferred from one officer to another, fixes definitely amounts received for which the receiving officer must receipt, and ascertains, as far as possible, where and how the discrepancy has occurred.

727. The report will be prepared in triplicate and will then be submitted to the convening authority for approval or disapproval. Separate reports will be made for each staff department concerned.

728. On the approved recommendation of a surveying officer the following classes of property may be destroyed: (1) Clothing infected with contagious disease; (2) stores that have become so deteriorated as to endanger health or injure other stores, and (3) unserviceable property of no salable value submitted to a surveying officer under the provisions of paragraph 689. The decision of the commanding officer will be final as to whether such property has salable value.

This paragraph will, in its application to ordnance stores under (3), be limited to utterly worthless articles constituting the soldier's personal equipments (not arms), horse equipments, and target materials and supplies, the cost price of which does not exceed $100 for mounted organizations and $50 for all other cases. In each case the report will give the dates of receipt of the stores surveyed.

Before ordering the destruction of property or stores under the provisions of this paragraph the commanding officer will personally inspect the same and will be held responsible that the conditions justify the action. In case the invoice value of the stores involved exceeds $500, the approval of the next higher commander will be obtained before destruction of the property, as provided in paragraph 730. A certificate of the witnessing officer that the property has been destroyed as authorized will be appended to the report.

729. When the value of the property submitted for survey or the loss or damage to be inquired into does not exceed $500, the report will be considered complete, for submission as a property voucher, upon the approval of the appointing authority, if the interested officer does not request the action of the next higher commander. One copy will then be forwarded to the commanding officer of the post, if a general officer, otherwise to department headquarters, and the others delivered to the officer accountable.

730. Should the appointing authority be the responsible or interested officer, or should the report be disapproved by the appointing authority, or should the report hold the accountable officer responsible, or should the value of the property submitted for survey or the loss or damage to be inquired into exceed $500, or should the officer pecuniarily interested request it, the report in triplicate will be forwarded to the next higher commander for review, and with his action is complete. But all reports of surveys of property, whatever their nature or the amounts involved, are subject on call to such review of the next higher commander as the merits of the case or the interests of the Government may require. When a next higher commander acts on a report of survey as herein contemplated he will cause such action to be noted on all 3 copies of the report. One copy will then be filed at department headquarters and the others sent to the accountable officer, except when the latter is held responsible, when 1 copy only will be sent to him and the remaining copy forwarded directly to the chief of bureau to which the property pertains.

731. The reports of a survey which recommend the relief of officers and enlisted men from responsibility should not be approved unless full and careful investigation and convincing proof to sustain the findings appear.

732. When the approved report of a surveying officer holds a common carrier, or a person not in the military service of the United States, responsible for the loss of or damage to public property or stores, steps will at once be taken to make collection from the party so held responsible. Public property that has been in transit will be carefully checked upon arrival at its destination by the receiving quartermaster with the bill of lading or manifest in order to ascertain whether the carrier has fully carried out all obligations imposed upon

him. Should any discrepancy, loss, or damage be found, the receiving quartermaster will at once make application for a surveying officer by whom the facts will be fully investigated (unless the carrier voluntarily assumes liability for the loss) and the money value of the damage or deficiency will be charged to the party responsible therefor, whether it be the invoicing officer or the carrier. The property will be delivered by the receiving quartermaster to the officer to whom it is invoiced or to other proper consignee with a statement of the deficiency or damage and that action by a surveying officer has been requested. Upon approval, the authority that approves the reports of the surveying officer will transmit 1 copy to the receiving quartermaster, 1 copy to the officer to whom the property is invoiced, and 1 copy to department headquarters.

In case the report of the surveying officer finds the invoicing officer responsible, 1 copy of the report will be sent to the invoicing officer instead of to the receiving quartermaster. In case the responsibility is fixed upon the carrier the receiving quartermaster will note on the bill of lading the deductions which shall be made for such loss or damage by the quartermaster who pays the account, and will attach to the bill of lading 2 copies of the approved report of the surveying officer. The quartermaster who pays the account will make the deduction and refund the amount stopped to the proper department in the following manner, for example: If from an account of $100 for transportation services there is a deduction of $25 for ordnance stores lost, the quartermaster will take credit under the head "Transportation of the Army" for $75 paid to the carrier, and also for $25 deposited to the credit of the Treasurer of the United States on account of "Replacing ordnance and ordnance stores;" but if the deduction is on account of forage lost by the carrier, he will take credit on his account current, under transportation, for $25 as carried to "Regular supplies," under which head he will charge himself with that amount. If, in any instance, collection can not be made, that fact, together with reasons therefor, will be reported to the proper chief of bureau.

Should the officer to whom the property is invoiced on receipt of the same discover loss, damage, or discrepancy not noted by the receiving quartermaster, he will at once make application for a surveying officer, notifying the receiving quartermaster of the action.

In the case of shipments to the Philippine Islands via commercial lines, the receiving quartermaster is authorized to accomplish bills of lading on the receipt of stores, noting thereon the value of the stores lost or damaged, as shown by the invoices, plus the cost of transportation, settlement to be made with the carriers with proper deduction to cover the value of the stores and the cost of transportation, final settlement to await the action of a surveying officer, to be called for immediately by the receiving officer.

733. Properly approved reports of surveys of property may be submitted as vouchers to property returns. They are not to be considered as conclusive until accepted by the Secretary of War. Until then they are to be regarded simply as the opinions and recommendations of disinterested officers, to aid in the settlement of questions of accountability between the Government and the individuals concerned. If, on examination in the proper bureau, they exhibit serious errors, or defects either of investigation or of finding, they will not be accepted as sufficient vouchers, and the officer submitting them will be duly notified, that he may have opportunity to make explanations or appeal to the Secretary of War.

734. At posts or stations not under the control of department commanders commanding officers will be governed by these regulations in appointing surveying officers and acting upon their reports, but in cases referred to in paragraph 730 will forward the papers to the chiefs of bureaus to which the property pertains.

735. Whenever a report of a survey recommends a stoppage against an enlisted man and the recommendation is approved, the appointing authority will cause a copy of the report to be furnished to the company commander, who will charge the amount on the next pay rolls of the company.

736. If an inspection of property follows the report of a survey thereon, one copy of the proceedings will accompany the inventory and inspection report which is transmitted for approval, and will afterwards be returned to be used as a voucher to the officer's returns, and another, with the inventory and inspection report, will be filed by the officer with his retained papers.

737. Compensation may be made under the provisions of the act of Congress approved March 3, 1885, for private property of officers or enlisted men lost or destroyed in the military service under any of the following circumstances:

1. Without fault or negligence on the part of the claimant, and on account of some exigency or necessity of the military service.

2. Where the private property so lost or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

3. Where it appears that the loss or destruction of the private property of the claimant was in consequence of his having given his attention to the saving of the property belonging to the United States which was in danger at the same time and under similar circumstances.

Compensation will not be made for losses sustained in time of war or hostilities with Indians, and claim for compensation must be presented within two years from the occurrence of the loss or destruction. Each claim for compensation will be forwarded, through military channels, to the Auditor for the War Department and will, if possible, be accompanied by the proceedings of a board of officers showing fully the circumstances of the loss. All personal property for the loss or destruction of which payment is claimed must be enumerated and described in the proceedings of the board of officers, but the board will recommend payment for only such articles as in the opinion of the board were reasonable, useful, necessary, and proper for the claimant to have in the public service in the line of duty.

ARTICLE LVII.

Civilian Employees.

GENERAL PROVISIONS.

738. In the staff corps and departments the employment of civilians will be regulated by the respective chiefs of bureaus under the direction of the Secretary of War. Those whose services are engaged with the intention or probability of retaining them for more than three months are classified as permanent employees. Their appointment, dismissal, promotion, or reduction will be made, under the supervision of the respective chiefs of bureaus, by the officers employing them, except as controlled by statute or the civil-service rules; but in selections for such employment preference will be given, as far as practicable, to applicants who have served meritoriously as enlisted men in the Army, and the appointments and promotions of all permanent employees, except mechanics, laborers, teamsters, and others of similar or kindred occupations, will be submitted for the approval or confirmation of the Secretary of War.

739. The clerks and messengers authorized by the act of Congress of August 6, 1894, will be employed and apportioned to the several headquarters and stations by the Secretary of War, and will not be transferred without his authority. All messenger service at the several division and department head-

quarters, except for staff officers not assigned to the headquarters' staff, and, as far as practicable, all clerical services thereat, will be performed by this class of employees.

740. Department commanders will confine expenditures for civilian employees within the allotments for the purpose made under the direction of the Secretary of War.

741. Civil engineers, clerks, inspectors, storekeepers, packers, watchmen, messengers, teamsters, mechanics, and laborers will, as a rule, be engaged by the month, day, or piece, and paid at the end of each calendar month. They will be designated upon the rolls in the capacity in which employed and at the rates established. When discharged and not paid, certified statements will be given them.

742. Eight hours shall constitute a day's work for all mechanics, laborers, and workmen employed by the several staff departments. The service of mechanics and laborers employed by contractors in the execution of public works, including the construction of barracks, quarters, or other buildings on military reservations, is also limited and restricted to eight hours in each calendar day, and no officer or contractor shall require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in cases of extraordinary emergency. There are excepted from the operation of this rule: (1) The officers and crews of vessels; (2) teamsters, packers, and other employees belonging to wagon and pack trains when engaged in field service or in the prosecution of military operations; (3) persons employed as cooks and cooks' helpers, overseers of labor of prisoners, and others who, owing to the nature of their employment being peculiar, may be decided by the Secretary of War, upon the facts being reported to him, to be neither laborers nor mechanics within the meaning of the eight-hour law. All exceptions on the ground of extraordinary emergency will be promptly reported to the Secretary of War.

All contracts for the execution of public works, including the erection of buildings for the use of the military establishment, will contain a stipulation restricting the service of mechanics and laborers to eight hours per day, and officers charged with the supervision and execution of such contracts will report all violations of such stipulation to the head of the bureau charged with the prosecution of the work.

TRAVELING EXPENSES.

743. For authorized journeys of civilian employees of any branch of the military service transportation requests will be obtained when practicable, but will be obtained in every case for travel over bond-aided railroads.

744. Reimbursement of actual expenses when traveling under competent orders will be allowed, under the following heads, to civilians in the employ of any branch of the military service, excepting the expert accountant of the Inspector General's Department, paymasters' clerks, and those mentioned in paragraph 745, viz:

1. Cost of transportation over the shortest usually traveled route, when it was impracticable to furnish transportation in kind on transportation requests.

2. Cost of transfers to and from railroad stations, not to exceed 50 cents for each transfer.

3. Cost of one double berth in a sleeping car, seat in a parlor car, or customary stateroom accommodations on boats and steamers when extra charge is made therefor.

4. Cost of meals, including tips, not to exceed $4.50 a day while en route when meals are not included in the transportation fare paid, and not to exceed $4.50 a day for meals, tips, and lodgings during necessary delay en route, and when

meals are included in the transportation fare paid, tips for meals not to exceed 15 cents each.

5. Cost of meals, and lodgings including baths, tips and laundry work, not to exceed $4.50 a day while on duty at places designated in the orders for the performance of temporary duty.

745. Laborers, teamsters, and employees of similar character, traveling under competent orders, will be entitled to such actual and necessary expenses of travel and subsistence as may be authorized by the chief of bureau which pays the accounts. Those entitled to rations under paragraph 1224 will not be allowed commutation therefor, and if it be impracticable for them to carry food, a ration and savings account will not be opened for them for the period during which they are traveling.

746. None but the authorized items of traveling expenses of civilians will be allowed. They will in all cases be set forth in detail in each voucher for reimbursement, supported by oath and, when practicable, by receipts.

747. The allowances hereinbefore provided for the subsistence of civilian employees cease upon the arrival of the employees at the destination mentioned in their orders for travel; they must then subsist on their rations, if entitled to them, or provide for their subsistence out of their regular pay.

748. Paymasters' clerks and the expert accountant of the Inspector General's Department when traveling on duty will, when transportation in kind can not be furnished by the Quartermaster's Department, be reimbursed for cost of transportation paid by them exclusive of parlor or sleeping car fares or transfers, and will receive in addition thereto, for all travel, whether or not on transportation requests, 4 cents per mile for each mile necessarily traveled by them in the performance of duty; distance to be computed over the shortest usually traveled route. But in traveling on duty only actual expenses shall be paid for sea travel.

749. Actual traveling expenses, as contemplated in the preceding paragraphs, are paid by the following departments, viz:

Pay Department.—To paymasters' clerks, the expert accountant of the Inspector General's Department, civilians summoned as witnesses before, and authorized reporters of, military courts.

Ordnance Department.—To employees at arsenals and armories (cost of transportation included) from appropriations for the service of the Ordnance Department.

Engineer Department.—To employees on public works and fortifications (cost of transportation included) from appropriations made specifically for the work.

Quartermaster's Department.—To employees of the Quartermaster's and Subsistence Departments, and other employees of the Army not above provided for.

750. When officers of the staff departments change station the transfer of clerks or other employees to the new stations at the expense of the United States is prohibited, except in cases of urgent necessity, for which the sanction of the Secretary of War will be first obtained. The Pay Department is excepted from this regulation.

ARTICLE LVIII.

Staff Administration.

751. The supply, payment, and recruitment of the Army, and the direction of the expenditures of the appropriations for its support, are by law intrusted to the Secretary of War. He exercises control through the Chief of Staff and the bureaus of the War Department. He determines where and how particular supplies shall be purchased, delivered, inspected, stored, and distributed.

752. The exercise by the President of his power to call the organized militia into the service of the United States, or to raise volunteers, authorizes the chiefs

of the supply departments of the Army to equip and supply said forces in the manner authorized by the Army and Field Service Regulations, limited only by available appropriations.

753. When a chief of bureau of the War Department desires to change the station of an officer or enlisted man of his department, or to send him on duty peculiar thereto (except in cases of officers employed under the appropriations for the improvement of rivers and harbors and for construction of fortifications), he will apply to The Adjutant General of the Army for the necessary orders, setting forth the reasons for the change or the purpose of the journeys.

754. The assignment to stations of officers or enlisted men of the staff departments, or of post noncommissioned staff officers, except as provided in the Field Service Regulations, will be made by the War Department or by commanders of territorial divisions and departments, under the special authority of the War Department. The commander of a division or department who, in consequence of the movement of troops or other necessity of service, removes an officer from the station to which he has been assigned by the War Department will promptly report the case to The Adjutant General of the Army.

755. When business upon which a board of officers is to be assembled is solely within the sphere of duty of a particular staff department, and the members thereof are to be selected from the same, the chief of such department will call the board if it is to meet at a post or station under his immediate control and is to be composed only of officers serving thereat; otherwise the order appointing it will be issued by direction of the Secretary of War.

756. Copies of all important communications from a bureau of the War Department to a disbursing officer on the staff of a department commander, which concern service in such department, will be sent direct to the department commander.

757. Staff officers assigned to the command of an officer are under his supervision and control in all matters pertaining to or affecting the command and in all other matters which are not specially excepted from such control by the regulations or orders of the War Department.

758. Commanders of divisions and departments, in order to avoid unnecessary clerical labor and accumulation of papers, will call upon officers under their orders for only such abstracts or reports, in addition to those required by regulations, as may be needed for proper administration, but will not require regular reports and returns at stated times without the authority of the War Department.

759. Commanding officers will cause returns, requisitions, and estimates pertaining to their respective commands to be promptly made and forwarded.

760. Officers doing duty as staff officers of military posts and commands will submit their estimates and requisitions for supplies, property, and money to their immediate commanding officers for revision and approval, who will carefully examine estimates and requisitions and satisfy themselves that money or articles asked for are in amount, quantity, and kind actually required for the public service during the period covered.

761. The chief of each branch of the staff of any command will carefully revise the estimates and requisitions for money and supplies for the command in so far as his particular branch is concerned. He will ascertain and recommend the cheapest markets and most economical routes of transportation. Such officers will receive from their commanders timely instructions as to all contemplated movements of troops and as to any probable increase or diminution of the garrison at any particular post, that a proper and economical distribution of supplies may be made.

762. It is the duty of commanding officers to enforce rigid economy in public expenditures and to correct all irregularity and extravagance which they may discover; to see that disbursements are economically made and that public property is protected; to scrutinize carefully all contracts and vouchers for disbursements, and to guard the public interests in every particular.

ARTICLE LIX.[1]

General Staff Corps.

763. The General Staff Corps, created in conformity to the act of Congress approved February 14, 1903, is composed of officers of the grades and number specified in said act, detailed for service in said corps for a period of four years unless sooner relieved, under rules of selection prescribed by the President. Upon being relieved from duty in the General Staff Corps officers return to the branch of the Army in which they hold permanent commissions, and except in case of emergency or in time of war are not eligible to further detail therein until they have served for two years with the branch of the Army in which commissioned. This ineligibility does not apply to any officer who has been relieved prior to the expiration of four years' duty with the corps; but such officer will become ineligible as soon as he shall have completed a total of four years of said duty. While serving in the General Staff Corps officers may be temporarily assigned to duty with any branch of the Army.

764. The law establishes the General Staff Corps as a separate and distinct staff organization, the chief of which has supervision, under superior authority, over all branches of the military service, line and staff, except such as are exempted therefrom by law or regulations, with a view to their coordination and harmonious cooperation in the execution of authorized military policies.

765. The General Staff Corps, under the direction of the Chief of Staff, is charged with the duty of investigating and reporting upon all questions affecting the efficiency of the Army and its state of preparation for military operations, and to this end considers and reports upon all questions relating to organization, distribution, equipment, armament, and training of the military forces (regulars, volunteers, and militia), proposed legislative enactments and general and special regulations affecting the Army, transportation, communications, quarters, and supplies; prepares projects for maneuvers; revises estimates for appropriations for the support of the Army and advises as to disbursement of such appropriations; exercises supervision over inspections, military education and instruction, examinations for the appointment and promotion of officers, efficiency records, details and assignments, and all orders and instructions originating in the course of administration in any branch of the service which have relation to the efficiency of the military forces; prepares important orders and correspondence embodying the orders and instructions of the President and Secretary of War to the Army; reviews the reports of examining and retiring boards, and acts upon such other matters as the Secretary of War may determine.

766. The General Staff Corps, under like direction, is further charged with the duty of preparing plans for the national defense and for the mobilization of the military forces (including the assignment to armies, corps, divisions, and other headquarters of the necessary quota of general staff and other staff officers), and incident thereto with the study of possible theaters of war and of strategic questions in general; with the collection of military information of

[1] This article is subject to the provisions of the order of the Secretary of War of April 14, 1906.

foreign countries and of our own; the preparation of plans of campaign, of reports of campaigns, battles, engagements, and expeditions, and of technical histories of military operations of the United States.

767. To officers of the General Staff Corps are committed the further duties of rendering professional aid and assistance to the Secretary of War and to general officers and other superior commanders and of acting as their agents in informing, and coordinating the action of, all the different officers who are subject under the provisions of law to the supervision of the Chief of Staff.

They perform such other military duties not otherwise assigned by law as may from time to time be prescribed by the President. Under the authority here conferred officers of the General Staff Corps are intrusted with the executive duties hereinafter indicated.

768. Officers of the General Staff Corps assigned to duty with commanders of armies, corps, divisions, separate brigades, territorial divisions, and departments are collectively denominated the General Staff serving with troops. They serve under the immediate orders of such commanders; those not so assigned perform duty under the immediate direction of the Chief of Staff and constitute the War Department General Staff.

769. The assignment of duties to the General Staff Corps does not involve in any degree the impairment of the initiative and responsibility which special staff corps and departments have in the transaction of current business.

War Department General Staff.

770. To facilitate the performance of its duties, the War Department General Staff will be arranged in sections, each under the direction of an officer of the General Staff Corps to be designated by the Chief of Staff. Such committees will be designated in the sections from time to time as may be necessary to facilitate the transaction of business in hand.

771. The War Department General Staff in its several sections and committees stands in an advisory relation to the Chief of Staff in the performance of the duties herein devolved upon him. The distribution of duties to the several sections and committees is regulated by the Chief of Staff.

Chief of Staff.

772. Under the act of February 14, 1903, the command of the Army of the United States rests with the constitutional Commander in Chief, the President. The President will place parts of the Army, and separate armies whenever constituted, under commanders subordinate to his general command; and, in case of exigency seeming to him to require it, he may place the whole Army under a single commander subordinate to him; but in time of peace and under ordinary conditions the administration and control of the Army are effected without any second in command.

The President's command is exercised through the Secretary of War and the Chief of Staff. The Secretary of War is charged with carrying out the policies of the President in military affairs. He directly represents the President and is bound always to act in conformity to the President's instructions. Under the law and the decisions of the Supreme Court his acts are the President's acts and his directions and orders are the President's directions and orders.

The Chief of Staff reports to the Secretary of War, acts as his military adviser, receives from him the directions and orders given in behalf of the President, and gives effect thereto in the manner hereinafter provided. For purposes of administration the office of the Chief of Staff will constitute a supervising military bureau of the War Department.

Exceptions to this ordinary course of administration may, however, be made at any time if the President sees fit to call upon the Chief of Staff to give information or advice, or receive instructions, directly.

Wherever in these regulations action by the President is referred to, the action of the President through the Secretary of War is included; and wherever the action of the Secretary of War is referred to, the Secretary of War is deemed to act as the representative of the President and under his direction.

The Chief of Staff is detailed by the President from officers of the Army at large not below the grade of brigadier general. The successful performance of the duties of the position requires what the title denotes—a relation of absolute confidence and personal accord and sympathy between the Chief of Staff and the President, and necessarily also between the Chief of Staff and the Secretary of War. For this reason, without any reflection whatever upon the officer detailed, the detail will in every case cease, unless sooner terminated, on the day following the expiration of the term of office of the President by whom the detail is made; and if at any time the Chief of Staff considers that he can no longer sustain toward the President and the Secretary of War the relations above described, it will be his duty to apply to be relieved.

The provisions of paragraph 763 regarding the redetail of an officer who has not completed a total of four years' service apply to the Chief of Staff.

773. The Chief of Staff is charged as limited and provided by law with the duty of supervising, under the direction of the Secretary of War, all troops of the line, the Adjutant General's, Inspector General's, Judge Advocate General's, Quartermaster's, Subsistence, Medical, Pay, and Ordnance Departments, the Corps of Engineers, and the Signal Corps. He performs such other military duties not otherwise assigned by law as may be assigned to him by the President.

774. The supervisory power vested by statute in the Chief of Staff covers primarily duties pertaining to the command, discipline, training, and recruitment of the Army, military operations, distribution of troops, inspections, armament, fortifications, military education and instruction, and kindred matters, but includes also, in an advisory capacity, such duties connected with fiscal administration and supply as are committed to him by the Secretary of War.

In respect to all duties within the scope of his supervisory power, and more particularly those duties enumerated in this and the following paragraph, he makes and causes to be made inspections to determine defects which may exist in any matter affecting the efficiency of the Army and its state of preparation for war. He keeps the Secretary of War constantly informed of defects discovered, and under his direction issues the necessary instructions for their correction.

775. Supervisory power is conferred upon the Chief of Staff over all matters arising in the execution of acts of Congress and executive regulations made in pursuance thereof relating to the militia. This supervision is especially directed to matters of organization, armament, equipment, discipline, training, and inspections. Proposed legal enactments and regulations affecting the militia and estimates for appropriations for its support are considered by him, and his recommendations submitted to the Secretary of War.

776. The Chief of Staff is charged with the duty of informing the Secretary of War as to the qualifications of officers as determined by their records, with a view to proper selection for special details, assignments, and promotions, including detail to and relief from the General Staff Corps; also of presenting recommendations for the recognition of special or distinguished services.

777. All orders and instructions emanating from the War Department, and all regulations affecting the Army or the status of officers or enlisted men

therein, are issued by the Secretary of War through the Chief of Staff, and are communicated to troops and individuals in the military service through The Adjutant General of the Army.

778. The assignment of officers of the General Staff Corps to stations and duties is made upon the recommendation of the Chief of Staff.

779. In case of absence or disability of the Chief of Staff the senior officer of the General Staff present for duty in Washington shall act as such chief unless otherwise specially directed by the Secretary of War.

780. In the performance of the duties hereinbefore enumerated and in representation of superior authority, the Chief of Staff calls for information, makes investigations, issues instructions, and exercises all other functions necessary to secure proper harmony and efficiency of action upon the part of those placed under his supervision.

The General Staff Serving with Troops.

781. The general staff of a command consists of general staff officers of such number and grades as may be assigned to it on the recommendation of the Chief of Staff.

782. The senior general staff officer on duty with a command shall, unless otherwise directed by the War Department, be the chief of staff of the command. Ordinarily he will be so assigned by the War Department.

783. The duties of the chief of staff of a command are as prescribed for officers of the General Staff Corps in paragraphs 765 to 768, and in addition he will, under direction of the commander of the troops, perform all duties analogous to those devolved by paragraphs 773 to 780 upon the Chief of Staff of the Army. The other general staff officers serving with troops are employed under the direction of the commanders thereof upon the duties prescribed for officers of the General Staff Corps, and they shall perform such other duties within the scope of general staff employment as may be directed by such commanders. General staff officers will not be assigned to other than general staff duties except by special authority of the War Department.

784. The two general officers authorized for the General Staff Corps are detailed by the President from officers of the Army at large not below the grade of brigadier general. All vacancies that may occur in the General Staff Corps in grades below that of brigadier general will be filled on the recommendation of a board of five general officers of the line, not more than two of whom shall be members of the General Staff Corps, convened by the War Department at such times as may be necessary. The board will be sworn to recommend officers solely on their professional efficiency, and on their probable aptitude and fitness for general staff service, and will select such number of officers of the proper grades to fill existing or expected vacancies, as the War Department may direct.

ARTICLE LX.

Adjutant General's Department.

785. The Adjutant General's Department is the department of records, orders, and correspondence of the Army and the militia.

The Adjutant General is charged, under the direction of the Secretary of War, and subject to the supervision of the Chief of Staff in all matters pertaining to the command, discipline, or administration of the existing military establishment, with the duty of recording, authenticating, and communicating to troops and individuals in the military service all orders, instructions, and regulations issued by the Secretary of War through the Chief of Staff; of preparing and distribut-

ing commissions; of compiling and issuing the Army Register and the Army List and Directory; of consolidating the general returns of the Army; of arranging and preserving the reports of officers detailed to visit encampments of militia; of preparing the annual returns of the militia required by law to be submitted to Congress; of managing the recruiting service, and of recording and issuing orders from the War Department remitting or mitigating sentences of military convicts who have been discharged from the military service.

The Adjutant General is vested by law with the charge, under the Secretary of War, "of the military and hospital records of the volunteer armies and the pension and other business of the War Department connected therewith;" and of the publication and distribution of the Official Records of the War of the Rebellion. He also has charge of the historical records and business of the permanent military establishment, including all pension, pay, bounty, and other business pertaining to or based upon the military or medical histories of former officers or enlisted men.

The archives of The Adjutant General's Office include: All military records of the Revolutionary war; the records of all organizations, officers, and enlisted men that have been in the military service of the United States since the Revolutionary war; the records of the movements and operations of troops; the medical and hospital records of the Army; all reports of physical examination of recruits and all identification cards; the records of the Provost Marshal General's Bureau; the records of the Bureau of Refugees, Freedmen, and Abandoned Lands; the Confederate records, including those pertaining to the legislative, executive, and judicial branches of the Confederate government.

Upon the muster out or discharge of volunteers or militia from the service of the United States all the records that pertain to them, and that have not already been filed in The Adjutant General's Office, will be transferred to and filed in that office.

The Adjutant General takes such steps as are necessary to complete or correct the records in his custody, and answers all calls or inquiries that are answerable from those records and that do not require administrative action by other bureaus of the War Department.

ARTICLE LXI.

Military Correspondence.

786. An official letter should refer to one subject only. Letters of transmittal will be used only when necessary, and when used must refer only to the matter transmitted; none are required with rolls, returns, estimates, requisitions, or periodical reports. Telegrams will be followed by official copies sent by first mail in cases of financial transactions of more than trifling importance and in cases in which chiefs of bureaus of the War Department may deem it necessary themselves to send, or to require officers serving under their immediate control to send to them, such copies.

787. A half sheet of letter paper will be used for a communication requiring but a single page. When more than one page is required additional sheets may be used, numbered consecutively. Official communications will be written only upon one side of the paper used.

788. Letter paper will be folded in three and foolscap in four equal folds parallel with the writing. The inner or left edge of the sheet is the top when folded; the left fold of the outer page is the first fold. The first fold will be used exclusively for a brief analysis of the contents of the communication, the office marks, and note of inclosures. A letter will be properly briefed at the first office at which it is received and entered.

789. The post-office address of an officer's station will be given in his official letters. Indefinite expressions of locality, which do not indicate where the letter was written, will not be used.

790. Indorsements will be begun at the top of the second fold, and will be numbered serially in order of dates on the successive folds, leaving room after each for office marks. Indorsements will not be superimposed, but will follow each other, additional space being provided by pasting slips of paper on the under side of the last fold, each slip, when attached, to have the same length and width as the original fold, and to turn back upon the last fold like the leaf of a book. The first fold, on which the brief is made, is always outside. In no case will a loose wrapper be placed around an official paper, except as a mere covering.

791. All inclosures will be numbered and will be given the proper office marks. Inclosures to the original communication are noted on the face of the letter to the left of the signature. If others are added when an indorsement is made, their number will be noted at the foot of the indorsement to which they pertain and also on the first fold of the original communication. To the latter notation will be added the number of the indorsement to which they belong, thus, "One inclosure—fifth indorsement." Inclosures to indorsements are numbered in the same series as those to the original paper, and the number of the indorsement to which they belong is added below. If few in number and not bulky, inclosures may be kept inside the original paper; otherwise they will be folded together in a wrapper marked "inclosures." Officers through whose hands official papers pass will make the inclosures and slips secure when they are not so. (Models illustrating the system are furnished from The Adjutant General's Office.)

792. Official communications will be signed or authenticated with the pen and not by facsimiles. Signatures will be plainly and legibly written, with the rank and regiment or corps of the writer annexed; if by order, stating by whose order. By virtue of the commission and assignment to duty, the adjutant general or adjutant of any command transacts the business or correspondence of that command over his own signature; but when orders or instructions of any kind are given, the authority by which he gives the order must be stated. In the absence of a commanding general, his chief of staff, or, if there be none, his adjutant general, in signing the communications to be forwarded to higher authority, will add to his signature the words, "In the absence of the ——— commander."

793. An officer will not be designated in orders nor addressed in official communications by any other title than that of his actual rank.

794. Private correspondence from persons in the military service which they may desire to have forwarded through the dispatch agents of the United States will be addressed, under cover, to the War Department.

795. Except as otherwise specially authorized or required by Army Regulations, all official communications from officers and enlisted men of the Army outside of the War Department intended for the Secretary of War or for any bureau or office of the War Department will be in writing and addressed to The Adjutant General of the Army, who will submit all business, coming to him from the Army, which requires action in the War Department or by the President and which does not come within the jurisdiction of chiefs of bureaus, to the Chief of Staff, to be acted upon by him in conformity to the rules duly prescribed for that purpose by the President or the Secretary of War.

Correspondence of the War Department with the Army will be through or by The Adjutant General of the Army.

796. Communications, whether from a subordinate to a superior, or *vice versa*, will pass through intermediate commanders. This rule will not be interpreted as including matters in relation to which intermediate commanders can have no knowledge, and over which they are not expected to exercise control. Chiefs of War Department bureaus are intermediate commanders between higher authority and the officers and enlisted men of their respective corps or departments, who are serving under the exclusive control of themselves and their subordinates. Verbal communications will be governed by the same rules as to channels as written communications. When necessity requires communications to be sent through other than the prescribed channel, the necessity therefor will be stated.

Communications from superiors to subordinates will be answered through the same channel as received.

Official correspondence between the heads of the different departments of the staff of any command and its commander will pass through the adjutant general or adjutant of the command. Communications to or from a commander and his subordinates will pass through the same channel.

797. Correspondence between an officer of a staff corps or department and the chief of the War Department bureau in which he is serving, which does not involve questions of administrative responsibility within the supervision of commanding officers outside that staff corps or department nor relate to individual interests or status of a military nature requiring the action of authority outside that staff corps or department, and which is concerned exclusively with the business of that staff corps or department, will pass directly. All business emanating from the bureaus of the War Department requiring the action of higher authority will be submitted to the Chief of Staff for his consideration, either orally in person, or in writing through The Adjutant General of the Army. In all cases the action of higher authority thereon will be communicated in writing by The Adjutant General of the Army to those concerned. Matters, however, of a purely civil nature will be submitted by chiefs of bureaus directly to the Secretary of War unless otherwise required by their subject matter.

798. Except as provided in paragraph 796, all communications, reports, and estimates from officers serving at a military post, and communications of every nature addressed to them relating to affairs of the post, will pass through the post commander.

799. Officers who forward communications will indorse thereon their approval or disapproval, with remarks. No communication will be forwarded to the War Department by a department commander or other superior officer for the action of the Secretary of War without some recommendation or expression of opinion.

800. A commander or chief of bureau may communicate with those under his command or direction through a staff or other suitable officer. With all others he will himself make the communication.

801. Unless otherwise expressly authorized by statute, an application for the official opinion of the Judge Advocate General or of an officer of any Executive Department of the Government other than the War Department will be addressed to The Adjutant General of the Army. Abstract questions will not be presented.

802. Unimportant and trivial communications need not be forwarded to The Adjutant General of the Army simply because addressed to him. Division and department commanders should decide whether a communication is of sufficient importance to be forwarded.

803. In official correspondence between officers or between officers and officials of other branches of the public service, and especially in matters involving questions of jurisdiction, conflict of authority, or dispute, officers of the Army are reminded that their correspondence should be courteous in tone and free from any expression partaking of a personal nature or calculated to give offense. Whenever questions of such character shall arise between officers and officials of other branches of the public service and it is found that they can not be reconciled by an interchange of courteous correspondence, the officer of the Army, as the representative of the interests of the War Department in the matter involved, will make a full presentation of the case to the Secretary of War through the proper military channels, in order that the same may be properly considered.

ARTICLE LXII.

Orders.

804. The orders of commanders of armies, corps, divisions, brigades, regiments, battalions not organized into regiments, posts, territorial divisions, departments, and districts are denominated "general (or special) orders" of such army, corps, etc., according to character. General and special orders are numbered in separate series, each beginning with the calendar year or at the time of the establishment of the headquarters. Orders issued by commanders of battalions forming parts of regiments, companies, or small detachments are simply denominated "orders," and are numbered in a single series, beginning with the year. Circulars issued from any headquarters are numbered in a separate series.

805. General orders publish matters of importance to the whole command which are of permanent interest or are to be constantly observed, such as hours for roll calls and duties, police regulations and prohibitions, laws and regulations for the Army, eulogies or censures, and the results of trial by general courts-martial.

806. Special orders are such as concern individuals or relate to matters that need not be made known to the whole command.

807. General orders and all important special orders must be read and approved, before issue, by the officer whose orders they are.

808. An order will state the source from which it emanates, its number, date, place of issue, and the authority under which issued. It may be put in the form of a letter addressed to the individual concerned through the proper channel.

809. Orders for any body of troops will ordinarily be addressed to its commanding officer, the address naming the office and not the individual. They will be executed by the commander present, who will publish them and distribute copies when necessary.

810. Orders eulogizing the conduct of living officers will not be issued except in cases of gallantry in action or performance of especially hazardous service.

811. In the field, verbal and important written orders are carried by officers. Dispatches for distant corps should be intrusted only to officers to whom their contents may be confided.

812. Mounted enlisted men will be employed to carry important dispatches only in special and urgent cases. The precise hours of departure and the rates at which they are to be conveyed will be written clearly on the covers of all dispatches transmitted by mounted orderlies.

813. Orders to an officer involving travel on duty, as for the inspection or payment of troops, etc., will designate the troops and posts to be visited and the order in which he will visit them.

814. Orders and instructions will be transmitted through intermediate commanders, in order of rank, except when they are of such character that the commanders have no power to modify or suspend them. In such cases the orders or instructions will be sent direct to the officer by whom they are to be executed, copies being furnished to the intermediate commanders.

815. Printed orders are generally distributed direct to posts by the headquarters from which issued. Files of such orders will be kept by each regiment and company and at each military post, and will be turned over by a commander, when relieved, to his successor. If general orders in regular succession are not received within a reasonable time, commanding officers will report missing numbers to the proper headquarters.

816. General orders and circulars of the War Department issued from the office of The Adjutant General of the Army will be distributed by the Adjutant General's Department. The distribution will be made, first, by The Adjutant General of the Army directly, and, second, under the immediate direction of The Adjutant General of the Army, by the adjutants general of the Philippines Division and the several territorial departments in the United States, each adjutant general to make the distribution within his own division or department.

(1) BY THE ADJUTANT GENERAL OF THE ARMY.

(*a*) To the adjutants general of the Philippines Division and the several territorial departments in the United States, such number of copies as will enable them to make the distribution hereinafter prescribed. (*b*) To the Chief of Staff and to the chiefs of bureaus and offices of the War Department, for use in the official files and for the personal files of such officers as are on duty in Washington in the War Department General Staff, the bureaus and offices of the Department, and the Army War College. (*c*) To each military attaché and to each officer of the Army on duty in the Isthmian Canal Zone, 1 copy for his personal file.

(2) BY THE ADJUTANTS GENERAL OF THE PHILIPPINES DIVISION AND THE SEVERAL TERRITORIAL DEPARTMENTS IN THE UNITED STATES.

(*a*) To the several offices at division and department headquarters for the official files thereat. (*b*) To each district, regimental, artillery district, and post headquarters for the official files thereat; to each troop, battery, or company organization for its official file; and to each officer, whatever his duty or station, who is under assignment to or is serving within the geographical limits of the Philippines Division or any territorial department in the United States and who is not supplied directly by The Adjutant General of the Army as hereinbefore provided, including every officer absent sick, on leave of absence, or otherwise temporarily absent, for his personal file. (*c*) To each civil educational institution to which an officer of the Army is detailed, 2 copies, 1 of which is for the file of the institution and the other for the personal file of the officer, both copies to be sent directly to the officer, who will deliver 1 of them to the head of the institution. (*d*) To the following institutions, depots, stations, and other establishments that may be located within the geographical limits of the Philippines Division or any department in the United States, for official and personal files, to wit, the United States Military Academy, the special service schools, the Army Staff College, the United States Military Prison or any branch thereof, general recruit depots, general recruiting stations, general hospitals, arsenals, armories, general depots of supply, and signal

corps stations. (*c*) To the army transports, mine planters, and cable ships serving within the geographical limits of the Philippines Division or of any territorial department in the United States, or having home ports therein.

In making the distribution hereinbefore provided for the following rules will govern: An official file or a personal file consists of 1 copy of each general order or circular of the series. Only 1 personal file will be allowed in any individual case, and the number of official files will be as follows: (1) To division, department, and military district headquarters, such number as may be necessary; (2) to an artillery district or a regimental headquarters, 5; to a post, 1 for the post, 1 each for the adjutant, quartermaster, commissary, surgeon, and ordnance officer; (3) to each troop, battery, or company organization, 1; (4) to an army transport, mine planter, or cable ship, 1.

The requisite number of copies of orders and circulars to supply all authorized official and personal files at a post will be sent to the post commander, who will distribute them in accordance with the provisions of this paragraph.

When a regiment is serving in the field it will be furnished with 3 copies of each general order and circular, in addition to the number for the official and personal files hereinbefore authorized.

In all cases in which the number of orders and circulars to be supplied for official files is not definitely fixed by this paragraph, the number of such files to be maintained and supplied will be determined by special instructions from The Adjutant General's Office.

Chiefs of bureaus and offices of the War Department will not supply copies of War Department orders or circulars for the official or personal files of any of their subordinates, except such as are on duty in their respective bureaus and offices in Washington.

The official files of general orders and circulars will not be removed from the stations or organizations to which they belong.

Individual officers serving, or under assignment to duty, within the geographical limits of the Philippines Division or of any territorial department in the United States, but not reporting to the headquarters thereof, will make application to the adjutant general of such division or department for their supply of War Department general orders and circulars, and will thereafter keep him informed of any change in their respective addresses, such application to show in each case the number of the last general order and of the last circular of the officer's files, in order that his files may be brought to date and kept complete.

Officers failing to receive copies of general orders or circulars of the War Department, or desiring to replace copies that have been lost or destroyed, will make application for the desired copies to the officer by whom such orders and circulars are ordinarily furnished to them.

SPECIAL ORDERS.

Full copies of special orders will be furnished directly from The Adjutant General's Office to the chiefs of bureaus and offices of the War Department and, for use in the official files, to the headquarters of each territorial division and department.

Extracts of special orders will be furnished from the office of The Adjutant General of the Army directly, or through intermediate commanders, only to those concerned.

817. In camp or garrison, orders that affect a command will, as a rule, be read to the troops at the first regular parade after they are received. In the

field, when orderly hours can not be observed, they will be sent directly to the troops, or commanders of regiments or corps will be informed when to send to headquarters for them, or during a halt orders will be read to troops, without waiting for the regular parades.

818. Commanding generals of territorial divisions and departments will forward to The Adjutant General of the Army, as soon as issued from their headquarters, such number of copies of general orders and circulars and special orders, with indexes thereto, and rosters of troops as may be directed from time to time by the War Department.

Commanding officers of military districts and of separate brigades will forward to The Adjutant General of the Army 2 copies of all orders and circulars as soon as issued from their headquarters.

819. The date of any appointment, detail, or removal affecting the pay of staff officers or acting staff officers will be immediately reported by the officer making the same to The Adjutant General of the Army and to the paymaster of the department or command to which such officers belong.

ARTICLE LXIII.

Muster Rolls.

820. At every muster of troops pay rolls will be prepared, signed, and disposed of in accordance with the directions on the blank forms furnished by the Paymaster General of the Army, and at each bimonthly muster on the last day of February, April, June, August, October, and December muster rolls will be prepared, signed, and disposed of in accordance with the directions on the blank forms furnished by The Adjutant General of the Army.

There will be reported on the field, staff, and band roll the regimental field officers, the chaplain, regimental and battalion staff (commissioned and noncommissioned), and band; on the post artillery corps rolls, the noncommissioned staff (artillery corps bands on separate rolls); on the company rolls, the officers and enlisted men belonging to the company; on the hospital rolls, the medical officers, the hospital corps, and the authorized matrons; on the post noncommissioned staff rolls, the post noncommissioned staff. The last-named rolls will be prepared and signed by the adjutant, who will also keep the accounts and prepare the final statements of the men borne thereon.

821. A soldier on duty or in a hospital at a post or station where his company is not mustered will be mustered on a detachment roll, a separate muster roll being prepared for each regiment or corps. Where two or more of such soldiers are at a post or station their names will be borne on one consolidated pay roll, which will show in a column ruled for that purpose the organization to which each soldier belongs.

822. Companies will be designated on the rolls by letters or numbers, and regiments or corps.

823. Corrections on muster and pay rolls, after muster and before they have been forwarded, will not be made except with the approval of the mustering officer. Retained rolls will not be changed without authority from the War Department. Calculations on the pay roll are made by the paymaster and copied on the retained roll by the company or detachment commander, who will certify that he witnessed the payment, and will enter thereon the name of the paymaster.

ARTICLE LXIV.

Returns of Troops—Records.

824. Commanders of territorial divisions will make to The Adjutant General of the Army monthly returns of officers and men under their immediate command and not subject to control of department commanders.

825. Commanders of territorial departments, posts, subposts, army corps, tactical divisions, brigades, regiments, companies, detachments, general hospitals, field hospitals, and mine planters will make monthly returns of their respective commands on forms furnished by The Adjutant General of the Army and in accordance with directions printed thereon. Chiefs of staff corps and departments will make similar monthly returns of their corps and departments, and transport quartermasters will make similar monthly returns of officers and enlisted men serving on transports under regular detail in the transport service.

In the case of a subpost the returns will be prepared by the commanding officer of the main post, unless the detachment at the subpost is in command of a commissioned officer, in which event such officer will prepare the returns and forward them through the commanding officer of the main post.

826. In addition to the monthly returns required by paragraph 825, commanding officers of regiments, companies, and detachments will make similar returns of their commands to The Adjutant General of the Army and to their immediate commanding officer whenever they leave or join a station, or when they sail from a port of embarkation or arrive at a port of destination.

When leaving station the return to the immediate commanding officer will be accompanied by a report from each organization on the monthly return blank showing alterations since last return only, with record of events to date.

The commanding officer of troops on a transport will, before sailing and on reaching port of destination, make a special return to the department commander and to The Adjutant General of the Army of all casuals and unattached officers and enlisted men passengers on the ship.

827. When a field officer is serving with detached companies of his regiment or corps the commanders thereof will forward their returns through him.

828. Whenever the strength of a separate command is temporarily or permanently increased by the arrival or decreased by the departure of any organization, the commanding officer will immediately inform the next higher commander by telegraph of the designation of such organization moved, of the number and names of officers, and of the strength in men, animals, and arms.

Battle reports, returns of effectives, casualties.

829. In campaign two columns will be added to the monthly return in the space reserved for remarks, in which shall be entered the effective strength of the organization. In determining such strength only those who are available for service in the line of battle will be included. Officers or enlisted men who are sick or disabled, on duty in any of the staff or supply departments, or for any cause not available in line of battle, will be excluded.

830. After every battle or engagement with the enemy, written reports thereof will be made by commanders of regiments, separate battalions or squadrons, companies or detachments, and by all commanders of a higher grade, each in what concerns his own command, which reports will be forwarded, through the proper channel, to The Adjutant General of the Army. It shall be the especial duty of all general staff officers attached to commands in the field to keep careful journals of the operations, from which they will compile reports of said operations for their immediate commanders.

831. Whenever upon marches, guards, or in quarters different corps of the Army happen to join or do duty together, and an officer of the Marine Corps or the militia shall command the whole, such officer shall report his action and the operations of the force under his command, through military channels, to the Secretary of War, as well as to his superiors in his own branch of the service.

832. Immediately after any engagement in which casualties have occurred the commanding officer of each organization that participated therein will submit, by telegraph if possible, to his immediate superior commander a report showing by name each person killed, wounded or otherwise injured, or missing, officers and enlisted men to be reported separately, and wounds and other injuries to be classified, if practicable, as slight or severe. If telegraphic communication can not be had, the report will be sent by the most expeditious means available. The report will be consolidated, if necessary, at the proper headquarters and telegraphed to The Adjutant General of the Army. In addition to the foregoing report, commanding officers of posts, regiments, or separate organizations will prepare and forward by mail a return in triplicate, showing the name, rank, and organization of each person killed, wounded or otherwise injured, or missing, the date and place of the engagement and, in the case of wound or other injury, the location of the wound or the nature of the injury, and whether slight or severe. Whenever necessary commanding officers will call on their senior medical officers for all information that can be supplied in this connection. One copy of the return will be forwarded by the officer making it to his immediate superior commander, 1 copy will be retained for file with the records of the post or organization, and 1 copy will be sent by mail directly to The Adjutant General of the Army.

833. A return of all captured property will be rendered to The Adjutant General of the Army, through intermediate channels, by the immediate commander of the troops making the capture.

RECORDS.

834. All military records must be carefully preserved.

835. All public records, reports, and papers, such as document files, files of general and special orders and circulars, correspondence books, guard reports, morning reports, the records of enlisted men as kept in descriptive and deposit books or on loose leaves, and sick reports, are the property of the United States, and will be required by the War Department in the settlement of claims against the Government and for other official purposes. Whenever posts, districts, territorial divisions, departments, corps, divisions, brigades, regiments, and companies are discontinued, all such records will be carefully labeled, packed, and marked, showing the command to which they pertain, and will be forwarded to The Adjutant General of the Army, who will be promptly advised of the date of shipment and furnished with a schedule of records shipped. Records of discontinued depots of the staff departments will be forwarded directly to the chief of the staff department to which they pertain.

836. The use of colored inks, except as carmine or red ink is used in annotation, ruling, or compliance with specific instructions issued by the War Department on blank forms or otherwise, is prohibited in the records and correspondence of the Army.

837. Sections 5403 and 5408, Revised Statutes, prescribe penalties for the fraudulent or wrongful destruction, withdrawal, or removal from any public office of any public record, paper, or document therein deposited.

838. No information will be furnished by any person in the military service which can be made the basis of a claim against the Government, except it be given as the regulations prescribe to the proper officers of the War, Treasury, or Interior Departments, or the Department of Justice. Information concerning sick and wounded officers and enlisted men may be freely conveyed to allay the anxiety of friends. The fact of death may be communicated to relatives, but not circumstances connected therewith which could be made use of in prosecuting claims against the Government. If any person in the military service has knowledge of facts pertaining to the service of an individual who is an applicant for a pension, he may, upon request, if not pecuniarily interested, furnish a certificate or affidavit setting forth his knowledge, but such certificate or affidavit will be furnished only to The Adjutant General of the Army to be forwarded to the proper officer of the Interior Department. Record evidence will be furnished by the War Department only.

ARTICLE LXV.

Personal, Individual Service, and Efficiency Reports.

839. When any officer arrives at Washington, D. C., or at headquarters of a territorial division or department, he will report at the office of The Adjutant General, and will there record his name, residence in the city, and the authority by which he is absent from his station.

840. All general officers will make monthly report to The Adjutant General of the Army of their stations, duties, etc., and those not reported on division, department, or other returns will also report the names of all aides-de-camp attached to their staffs.

841. All officers absent from their regiments, corps, or commands will at the end of each month make report by letter to The Adjutant General of the Army and to the headquarters of their regiment, corps, or command, giving their address; if on duty, the date of commencement of same, nature thereof, and by what authority, and if not on duty, date of commencement of and authority for absence; and any officer so absent who may incur any sickness or injury will include in his report for the month in which it occurred a statement of the fact, giving the nature and cause of such sickness or injury.

842. An officer detached from his regiment or corps for duty will immediately report to The Adjutant General of the Army and to his regimental commander or the chief of his corps the time of departure from former station, of arrival at new station, with a reference to the authority for the change, and his post-office address. As soon as practicable he will in like manner report the nature of his duties.

843. An officer of a staff corps or department, or an officer serving therein by detail, will report to The Adjutant General of the Army and to the head of his corps or department on the last day of every month, giving his address, a statement of the duties on which he has been employed during the month, the date of his assignment thereto, and the authority by which so assigned. An officer on the retired list assigned to duty by War Department orders will make a like report on the last day of every month to The Adjutant General of the Army, and an officer on the retired list not assigned to duty by War Department orders, unless specially exempted, will report his address to The Adjutant General of the Army on the last day of every month and will also report promptly each change of address.

844. Regimental field officers not serving at the headquarters of their regiments will make monthly reports to their regimental commanders. These reports will embrace everything essential to a correct record of their services

and of the services of the battalion staff and noncommissioned staff officer serving under them.

845. An individual service report will be made on June 30 of each year by each officer of the Army, except general officers and the chiefs of the staff corps, departments, or bureaus of the War Department. The report will be forwarded to The Adjutant General of the Army through intermediate commanders, who will verify as far as practicable from official records under their charge all statements made under the heading "Succinct account of services."

846. Efficiency reports will be made on June 30 of each year and forwarded to The Adjutant General of the Army through intermediate commanders, who will indorse thereon such remarks as may be proper in each case:

1. By the commanding officer of each territorial division or department respecting each officer of his staff, and by each department commander respecting each post commander not reported on by a subordinate commander.

2. By the chief of each staff department or corps and each staff bureau respecting each officer of his department, corps, or bureau not otherwise reported on.

3. By the chief surgeon of a territorial division or department respecting each officer of the Medical Department serving in the division or department, and by the head of each other staff department or corps at the headquarters of a territorial division or department respecting each officer attached to his office or serving under his immediate direction.

4. By each officer of the Corps of Engineers serving as division engineer respecting each officer in charge of an engineering district within his division, and by each district officer respecting each officer on duty under his orders.

5. By each artillery district commander respecting each post commander in his district who is an officer of the Coast Artillery Corps and each artillery district staff officer.

6. By each post commander respecting each officer of his command not otherwise reported on at the post.

7. By each post surgeon respecting any officer of the Medical Department serving under his direction.

8. By each company commander respecting each subaltern officer on duty with the company.

9. By each regimental commander respecting each field and staff officer and each company commander of the regiment serving at regimental headquarters.

10. By the Superintendent of the Military Academy, the commandant of each service school, the commandant of the military prison and of any branch thereof, and the commanding officer of a general recruit depot respecting each officer serving under them not otherwise reported on.

11. By the commanding officer of each arsenal, armory, or general depot of supply respecting each officer on duty thereat.

12. By the recruiting officer on duty at each general recruiting station respecting each officer serving under his supervision.

13. By the commanding general, Philippines Division, respecting officers on duty with the various branches of the civil government in the Philippine Islands.

14. In the case of an officer temporarily absent on duty from his command on June 30, the report will be made out at his permanent station, referred directly to his temporary commanding officer for remark, and returned to the commanding officer of his permanent station to be forwarded through military channels.

847. Each officer who makes the annual inspection of the military department of any civil institution of learning will, immediately after the inspection, forward to The Adjutant General of the Army an efficiency report respecting each army officer on duty at the institution.

848. The Inspector General will forward to the Secretary of War extracts of all inspection reports containing specially favorable or unfavorable mention of any officer. Extracts respecting officers of the line and chaplains will be sent through The Adjutant General of the Army, and those respecting officers of the staff corps or departments through the respective chiefs of bureaus. Copies of unfavorable reports will be sent by chiefs of bureaus to officers reported upon, for their remarks, and these, when received, will be filed with the original extracts.

849. In preparing efficiency reports, reporting officers will exercise the greatest care to set forth all facts concerning each officer and his record which may aid the Department in forming a true estimate of standing, ability, and special fitness for any military duties.

850. Chiefs of staff corps and departments will note the correctness of the reports received and will add any data known to them which will contribute to the completeness of the record in each case. All efficiency reports will be transmitted to the Secretary of War as soon as practicable after their receipt, verification, and completion.

ARTICLE LXVI.

Penalty Envelopes.

851. Official communications and other mailable matter relating exclusively to the public business, will be transmitted through the mails free of postage, if covered by the "Penalty envelope." Where an officer writes to a private party on official business he may inclose with his letter an official penalty envelope, properly addressed to himself, to cover the reply.

852. Information which is intended to be used in the performance of official duty only is official information, while that which is intended to be used for the furtherance of private interest, ends, or business in any way whatever, though called for by a public officer, is private information. The official envelope may be used to give or obtain the former, but not the latter.

853. Envelopes for official mail matter for the War Department will have "War Department," the designation of bureau or office, and "Official Business," printed in three or four lines, as may be required, in the upper left corner, and in the upper right corner the following: "Penalty for private use, $300." Envelopes for the use of the headquarters of a territorial division or department, for a post, station, armory, arsenal, depot, or school of instruction, will be of the same form, with the proper substitution for the designation of the bureau or office, and with the address when necessary. Envelopes required for the transmission of printed matter may also have printed thereon "Printed matter." Other printing or ruling on such envelopes at public expense is prohibited unless printed at the Government Printing Office. For the official business of officers not embraced in the foregoing classes, and officers on the retired list, the heading "War Department," "Official Business," will be placed across the left end of the envelope, with the officer's official signature written immediately below it, and with the penalty clause in the upper right corner.

854. Packages of public property weighing not more than 4 pounds may be sent through the mails under cover of the penalty envelope. Penalty envelopes

with return address may be furnished to any person from whom official information is desired, but will not be furnished to merchants or other dealers to cover the transmission of public property, or the return of official vouchers.

855. The use of freight or express lines for transmitting official letters or packages that can be sent by mail is forbidden.

856. The penalty envelope will not be used for foreign correspondence.

ARTICLE LXVII.

The Recruiting Service.

857. Recruiting for the Army will be conducted by—

1. An officer for each regiment, post, or detachment, detailed by the proper commanding officer to enlist for the regiment, post, or detachment, or, when authorized by the department commander, for any troops in the department, or, when authorized by the War Department, for any organization in the Army.

2. An officer detached from any organization by its commander, with the approval of the War Department, to make enlistments for that organization and, when authorized by the War Department, for any organization in the Army.

3. Officers detailed on recruiting service by the War Department. The regular details will be ordinarily for two years.

858. General recruiting stations are places at which applicants for enlistment are examined and from which, if found to be qualified for service, they are forwarded to recruiting depots for final examination and enlistment.

Recruiting depots are of two classes, viz, general recruit depots and recruit depot posts. General recruit depots are depots at which applicants for enlistment are finally examined, enlisted, and retained for instruction, and from which recruits are distributed to the Army. Recruit depot posts are the designated military posts to which are sent, from general recruiting stations, for final examination, enlistment, and distribution to the Army, such applicants for enlistment as are not sent to general recruit depots.

In all matters of police and discipline recruits at recruit depot posts are under the command of the post and department commanders, but in all other matters, including discharges for disability, they are directly under the orders of the War Department. All records pertaining to recruit administration at recruit depots and depot posts will be so kept that a change may, without interference, be made at any time in the post personnel.

859. Recruits at general depots will be organized for instruction into recruit companies as may be directed by the War Department, the instruction being given by officers detailed and noncommissioned officers appointed for that purpose. Commanding officers of all recruit depots and depot posts will forward directly to The Adjutant General of the Army trimonthly reports of recruits.

860. All enlisted men prior to their assignment to general recruiting duty will be transferred to the general service, infantry. The recruiting officer in charge of each general recruiting station, having first satisfied himself of the soldiers' fitness for the positions, will announce in orders from his station, and muster from the date of such announcement, one member of his recruiting party as sergeant and one as corporal. Such orders will be entered in the records of the recruiting station and a copy of each order will be forwarded to The Adjutant General of the Army; a copy will also be furnished to each soldier concerned.

861. Members of recruiting parties announced and mustered as sergeants or corporals will not be reduced while performing such duty without the approval of The Adjutant General of the Army. Their appointments as sergeants

or corporals will, however, terminate whenever they are relieved from recruiting duty, or when the stations at which they are serving are discontinued, unless they shall be assigned to other recruiting stations at which there are vacancies in their respective grades. The recruiting officer will in every case announce in orders the date of the termination of an appointment as sergeant or corporal and furnish copies of each order, as indicated in paragraph 860.

862. All assignments of enlisted men to the general recruiting service will be as privates, the question of their promotion as sergeants or corporals being for determination after their fitness and capacity shall have been demonstrated. Individual applications for transfers to the general recruiting service will be forwarded, whenever practicable, through the proper commanding officers, who will indorse thereon their recommendations, based upon service and merit, and also a statement of the soldier's fitness for recruiting duty, especially as regards clerical ability and knowledge of army papers. The transfers will be made from time to time, as the interests of the service require, in orders from the War Department.

863. Any male citizen of the United States or person who has legally declared his intention to become a citizen, if above the age of 21 and under the age of 35 years, able-bodied, free from disease, of good character and temperate habits, may be enlisted or accepted for enlistment under the restrictions contained in this article. In regard to age or citizenship this regulation shall not apply to soldiers who have served honestly and faithfully a previous enlistment in the Army.

864. Recruiting officers at general recruiting stations will not make enlistments or reenlistments, except reenlistments of members of their recruiting parties, but will examine applicants physically, mentally, and morally to determine their fitness for service and will forward such applicants as they deem qualified to designated recruit depots or depot posts for final examination and enlistment if found qualified. Recruiting officers at general recruiting stations may reenlist members of their recruiting parties, to be continued on duty with those parties, without sending the men to recruiting depots for examination, provided that the reenlistments are made within ten days after discharge and the men are found qualified for service on examination by the recruiting officers. In such cases the recruiting officers will complete the enlistment papers, the forms for the physical examination of recruits, and the descriptive and assignment cards and forward them directly to The Adjutant General of the Army.

The date on which the enlistment or reenlistment of any man is actually completed, by administering the oath, is the date of that enlistment and must invariably be shown on the enlistment paper, above the signature of the officer who administers the oath and thereby enlists the man.

865. Applicants for original enlistment and men who apply to reenter the Army after an interval of more than three months from date of discharge will be required to furnish evidence of good character. To determine an applicant's fitness and aptitude for the service and to give him an opportunity to secure testimonials of character he may, after having signified his intention to enlist and passed the required examination, be retained and provided for not to exceed six days before being accepted or rejected. At recruiting stations at which no medical officer or recruiting officer is on duty an examination by the senior noncommissioned officer on duty at the station will be sufficient to determine whether the applicant may be retained for the period named, but such examination will not take the place of that to be made by the recruiting officer under paragraph 864.

866. The enlistment or acceptance with a view to enlistment of persons of any of the following classes is prohibited: Former soldiers whose service during last term of enlistment was not honest and faithful, insane or intoxicated persons, deserters from the military or naval service of the United States, persons who have been convicted of felony or who have been imprisoned under sentence of a court in a reformatory, jail, or penitentiary; also for original enlistment, persons under 18 or over 35 years of age, and for first enlistment in time of peace any person (except an Indian) who is not a citizen of the United States or Porto Rico, or who has not made legal declaration of his intention to become a citizen of the United States, or who can not speak, read, and write the English language.

867. Recruiting officers will be very particular to ascertain the true age of every applicant for enlistment. If any doubt exist as to the applicant's statement regarding his age, his oath will not be taken as conclusive evidence of the fact, and if he can not furnish competent proof to support his statement, he will be rejected. Minors between the ages of 18 and 21 years may be enlisted or accepted with a view to enlistment with the written consent of the father, only surviving parent, or legally appointed guardian to the minor's enlistment. When a minor presents himself for enlistment or acceptance under the provisions of this paragraph, his parents or guardian, should he have any, will be found and informed of the application; should he be without parents or guardian, the recruiting officer must reject him unless the applicant shall procure the legal appointment of a guardian and obtain his written consent.

868. Recruiting officers will be held to a rigid accountability for accepting and forwarding men who may be found unfitted for the service, and officers who enlist such applicants will be held to a like accountability. If a man after having been enlisted at a military post, or accepted at a general recruiting station and forwarded to a depot or depot post for enlistment, be discharged or rejected, and it appear that the enlistment or acceptance was carelessly made or in violation of these regulations, the expenses incurred in consequence of the enlistment or acceptance of the man may be stopped against the pay of the officer responsible.

869. The enlistment or reenlistment of married men for the line of the Army is to be discouraged, and will be permitted only for some good reason in the public interest, the efficiency of the service to be the first consideration. Applications for such enlistments or reenlistments will be finally determined by the regimental commander, or other proper commanding officer if there be no regimental organization.

870. After the nature of the service and terms of enlistment have been fully explained to the applicant, and before the enlistment blanks are filled, the officer will read to him and offer for his signature the following declaration, which will be contained in the enlistment paper:

I, ——— ———, desiring to enlist in the Army of the United States for the term of three years, do declare that I have neither wife nor child; that I am of the legal age to enlist, and believe myself to be physically qualified to perform the duties of an able-bodied soldier; and I do further declare that I am of good habits and character in all respects and have never been discharged from the United States service (Army or Navy) or any other service on account of disability or through sentence of either a civil or military court, nor discharged from any service, civil or military, except with good character, and for the reasons given by me to the recruiting officer prior to this enlistment. [Here add, in case of an applicant for first enlistment: And that I am, or have made legal declaration of my intention to become, a citizen of the United States.]

Given at ———, this —— day of ———, 190—.

——— ———.

Witness:

——— ———.

——— ———.

If the applicant be a minor, his parents or guardian must give consent in writing in the following terms:

I, ——— ———, do certify that I am the (father, only surviving parent, or guardian, as the case may be) of ——— ———; that the said ——— ——— is ——— years of age; and I do hereby freely give my consent to his enlisting as a soldier in the Army of the United States for the period of three years.

Given at ———, this ——— day of ———, 190—.

——— ———.

Witness:

——— ———.

This consent will appear on the enlistment paper and will follow the foregoing declaration.

871. Recruiting officers will not allow any man to be enticed into the service by false representations, but will, in person, explain to every man before he signs the enlistment paper the nature of the service, the length of the term, the amount of pay, clothing, rations, and other allowances to which a soldier is entitled by law.

872. The following form of enlistment contract, duly sworn to, will be signed by each recruit on enlistment:

STATE OF ———, *County of* ———, *ss:*

I, ——— ———, born in ———, in the State of ———, aged ——— years and ——— months, and by occupation a ———, do hereby acknowledge to have voluntarily enlisted (or reenlisted) this ——— day of ———, 190—, as a soldier in the Army of the United States of America, for the period of three years, unless sooner discharged by proper authority; and do also agree to accept from the United States such bounty, pay, rations, and clothing as are or may be established by law. And I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the Rules and Articles of War.

[SEAL.] ———.

Subscribed and duly sworn to before me this ——— day of ———, A. D. 190—.

———,

Recruiting Officer.

This oath may be administered by any commissioned officer of the Army.

873. Such of the Articles of War as relate specially to the duties and rights of enlisted men and the penalties for military crimes will be plainly read and, so far as necessary, explained to each applicant for enlistment just before administering to him the oath of enlistment. Within six days thereafter the Articles of War will be read to the recruit.

874. Enlistment papers and recruiting returns will be made on printed forms furnished by The Adjutant General of the Army, and will be executed and disposed of in accordance with directions thereon.

875. The real name of the recruit will be ascertained, correctly spelled, and written in the same way wherever it occurs, and the Christian name will not be abbreviated.

876. Enlistments will not be antedated so as to allow the soldier additional pay for reenlistment who applies after the period of three months from date of discharge has expired, nor does an application for reenlistment, made within three months, entitle the soldier to such increase. The benefit provided in section 1284, Revised Statutes, can be obtained only by actual reenlistment before the expiration of the three months' limit prescribed in said section, as amended by the act of August 1, 1894. (28 Stat. L., 216.)

877. An officer who enlists or reenlists a man who has been discharged from the Army will immediately give notice of the fact to the commanding officer of the company from which the man was last discharged, stating, if practicable, designation of the organization to which he has been assigned. On receiving

this notice the commander of the company from which the man was discharged will enter the fact of enlistment or reenlistment on the soldier's record. Should it appear that deception has been practiced he will report the case to The Adjutant General of the Army. The recruiting officer will enter the fact of enlistment or reenlistment, with date and place upon the certificate of discharge from former enlistment, which the soldier should have in his possession.

878. Application to reenter the Army from persons of any of the following classes will not be granted without special authority from The Adjutant General of the Army:

1. Former soldiers who have been discharged before expiration of term of service, excepting those discharged by purchase or for the convenience of the Government.

2. Former soldiers who have been discharged with character other than good, or its full equivalent.

3. Former soldiers over 40 years of age who were last discharged as privates and have failed to reenlist within three months thereafter. In such cases the applications must show that the enlistments will be for the interest of the service.

4. Former soldiers who can not pass the required examination in all respects. Applications of this nature should show that any existing defects will not prevent the performance by the applicant of full military duty.

879. An applicant will be subjected to the required examination before application is made for special authority for his enlistment or reenlistment. The result of the examination will be stated in the application. Commanding officers forwarding applications from men of their commands for permission to reenlist for some other organization will report in each case whether the applicant is married or single, what character will be given him on discharge, and whether or not he can pass the required examination.

880. Enlisted men of good character and faithful service who, at the expiration of their terms, are undergoing treatment for injuries incurred or disease contracted in the line of duty, may be reenlisted if they so elect, and if the disability prove to be permanent, they will subsequently be discharged on certificates of disability. An enlisted man not under treatment, but who has contracted in the line of duty infirmities that may raise a question of physical eligibility to reenlistment, but not such as to prevent his performing the duties of a soldier, may be reenlisted by authority of the War Department on application made through the surgeon and proper military channel in time to receive a decision before the date of discharge.

MEDICAL EXAMINATION.

881. The physical examination of applicants for enlistment will be conducted in accordance with the authorized manual for the examination of recruits. The enlistment paper of each recruit must show what indelible or permanent marks were found on his person.

882. An applicant for enlistment at a garrisoned post, camp, or arsenal, where there is no medical officer or contract surgeon, will be physically examined before enlistment by the civilian physician employed by the Medical Department, who will immediately vaccinate the man if he is accepted.

883. Every applicant for enlistment who is accepted at a general recruiting station will be immediately vaccinated at the station, either by the hospital corps man on duty with the recruiting party, or, if there is no hospital corps man with the party, by a civilian physician employed for the purpose, provided that the services of such a physician can be obtained at the price fixed by paragraph

1506. Vaccine virus is supplied by the Surgeon General. As soon as the recruit joins any organization, depot, post, or station he will be examined by the surgeon to ascertain whether vaccination is required. In all cases where there is not unmistakable evidence of successful vaccination within a reasonable period the operation will be performed immediately.

884. Upon the arrival at a recruiting depot of an accepted applicant for enlistment he will be examined and enlisted or rejected with the least practicable delay.

If in the opinion of the surgeon or the commanding officer the disqualification in the case of any rejected applicant is of such a character that it should have been discovered by the recruiting officer who accepted and forwarded the applicant to the depot, the commanding officer will convene a board of three officers, one of whom shall be a medical officer if such officer is available, to examine into the case and report whether the disqualification existed prior to acceptance, when, where, and by whom the applicant was accepted, and whether in the opinion of the board the disqualification should have been discovered by the recruiting officer. If the board is of the opinion that the recruiting officer was at fault in accepting and forwarding the applicant, it will, before making its report, communicate with him and give him an opportunity to be heard in the case, but if he fails to respond with reasonable promptness, the board will proceed with the case and render its report without further delay. In those cases in which the board finds that the recruiting officer was at fault the record of the proceedings of the board, together with the report of the surgeon and the original form for examining a recruit, will be forwarded directly to The Adjutant General of the Army with the recommendation of the commanding officer; but if the board finds that the recruiting officer was not at fault, it will so advise him, and no further action will be taken. If in the opinion of both the surgeon and the commanding officer the disqualification is not of such a character that it should have been discovered by the recruiting officer at the time of acceptance of the applicant, the case will not be referred to a board of officers. All military posts to which applicants for enlistment may be sent from general recruiting stations without previous medical examination will be regarded as depots within the meaning of this regulation.

Accepted applicants for enlistment who are found unfit for service on final examination at recruiting depots will be regarded as remaining under military observation until they have been returned to the recruiting stations at which they were accepted, or until they should have arrived at those stations after having been forwarded for them.

885. Every detachment of recruits ordered from a recruiting depot to any organization or post will, immediately preceding its departure, be critically inspected by the post commander and the senior medical officer present, and any sick or otherwise disabled will be held at depot. A recruit deemed unfit for continuance in the service will not be sent to an organization, but the necessary action will be taken by the commanding officer of the depot or depot post with a view to the discharge of the recruit on a surgeon's certificate of disability or otherwise as the case may require.

886. Before recruits are forwarded from a depot to organizations the post commander will cause the character of each recruit to be entered upon the descriptive and assignment card; also the date and result of last vaccination. Officers in charge of detachments, if called upon, will exhibit the entries relative to vaccination to authorized inspectors of State boards of health.

887. Upon arrival at a post each recruit who has not undergone examination by a medical officer, contract surgeon, or civilian physician will be examined,

and defects will be recorded by the medical officer, with his opinion as to whether they existed prior to enlistment. A certificate of disability will be submitted if the recruit is disqualified for the service. If the certificate be submitted, the post commander will carefully scan the answers made by the recruit on the "Form for the physical examination of a recruit," and if his answers show that fraud was practiced to secure his enlistment, the post commander will make full report of the facts to The Adjutant General of the Army, and forward therewith the certificate and the examination form.

888. A monthly report of the medical examination of applicants for enlistment will be made for each garrisoned post or recruiting depot. This report will contain a record of all applicants examined during the preceding month and will be forwarded, not later than the sixth day of every month, to The Adjutant General of the Army, who will furnish blanks for the purpose. Where an applicant fails for any cause to complete his enlistment a notation to that effect will be made in the column for remarks. A copy of the report will be retained at the post or depot for which it is made.

RECRUITS SENT TO ORGANIZATIONS.

889. Recruits will be assigned to regiments and other organizations by The Adjutant General of the Army, under the direction of the Secretary of War, from recruit depots and depot posts. Recruits designated for assignment will be borne on the rolls and returns of the depots and depot posts until the date of departure therefrom, when the assignment will take effect; prior to that date they will not be taken up on the rolls of companies, regiments, or other organizations.

Correspondence between officers or enlisted men of the general recruiting service and other officers or enlisted men of the Army with a view to furnishing or obtaining recruits for particular organizations, either by the acceptance of applicants at general recruiting stations or by the assignment of recruits from recruit depots or depot posts, is prohibited.

890. When recruits are sent to any organization, a descriptive and assignment card for each man will be given to the officer or noncommissioned officer assigned to conduct them, or if no officer or noncommissioned officer be so assigned the cards will be sent to the proper commanding officer by the first mail after the departure of the men.

891. When recruits are sent to organizations from depots or posts, the descriptive and assignment cards will be made by the adjutant; when applicants for enlistment are forwarded from recruiting stations to depots or depot posts the cards will be made by the recruiting officer.

892. An officer intrusted with the command of recruits ordered to regiments or other organizations will, on arriving at destination, forward the following papers:

1. To The Adjutant General of the Army, a report of date of arrival at the post, the strength and condition of the party when turned over to the commanding officer, and all circumstances worthy of remark which occurred on the journey.

2. To the commanding officer of the post or organization, the descriptive and assignment cards furnished him with the recruits, properly completed by noting in the column for remarks time and place of death, desertion, or other casualty that may have occurred.

893. The descriptive and assignment card of every recruit sent to a regiment or other organization, with remarks showing final disposition of the

recruit, and number of regiment and letter or number of company to which he has been assigned, will be forwarded to The Adjutant General of the Army by the officer who makes the assignment.

894. Soldiers enlisted by special authority for particular organizations will be sent to their proper stations without delay. An applicant will be subjected to the required examination before application is made for special authority for his enlistment.

ARTICLE LXVIII.

INSPECTOR GENERAL'S DEPARTMENT.

GENERAL PROVISIONS.

895. The sphere of inquiry of the Inspector General's Department includes every branch of military affairs except when specially limited in these regulations or in orders. Inspectors general and acting inspectors general will exercise a comprehensive and general observation within the command to which they may be respectively assigned over all that pertains to the efficiency of the Army, the condition and state of supplies of all kinds, of arms and equipments, of the expenditure of public property and moneys, and the condition of accounts of all disbursing officers of every branch of the service, of the conduct, discipline, and efficiency of officers and troops, and report with strict impartiality in regard to all irregularities that may be discovered. From time to time they will make such suggestions as may appear to them practicable for the correction of any defect that may come under their observation.

896. Inspectors general or acting inspectors general assigned to a military command are under the immediate direction of its commanding general; when not so assigned, they are under the orders of the War Department. They will make the general and such special inspections as the commanding general may direct within the limits of his command, and will each be allowed the necessary clerks and one messenger, who will be assigned by the Secretary of War.

897. Inspectors general and acting inspectors general will report by letter on arriving at their stations to the Inspector General of the Army. Thereafter they will furnish to him copies of all orders and written instructions received for tours of inspection or for investigations, giving the nature of the duty they are going to perform, the probable time they will be at each place to be visited during their tour, and the probable date they will return to their stations.

At the close of each fiscal year the inspector general assigned to a military command will submit to its commanding general a report covering the operations of the Inspector General's Department within the command during the preceding year, together with such recommendations for the improvement of the service as he may deem fit, and will forward a copy thereof, through military channels, to The Adjutant General of the Army, who will transmit it to the Inspector General of the Army.

898. Inspectors general or acting inspectors general will make known their orders or instructions to commanding and other officers whose troops and affairs they are directed to inspect, and these officers will see that every facility and assistance, including clerical aid, if requested, is afforded. When making inspections within the territorial limits of the command of an officer subordinate to the officer ordering the inspections, they will, prior to the inspections, furnish to the subordinate commander a copy of their orders and an itinerary of their route in so far as they relate to the inspection of parts of his command.

899. An inspector general or acting inspector general will not give orders unless specially authorized to do so, and then only in the name of the superior

giving such authority. He will report with strict impartiality all irregularities. He should refrain from informal conversation or comment upon subjects under investigation.

900. An inspector general or acting inspector general will exercise the greatest care that he does no injustice to organizations or individuals. When investigating accusations prejudicial to the character of an officer, he will make known to the officer their nature, and give him an opportunity to make his own statement in writing, which will be appended to the report. Copies or extracts from an inspection report reflecting upon or commending the character or efficiency of an officer may be furnished him by the commander to whom the report is submitted.

901. An inspector general or acting inspector general detailed to investigate alleged attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, has authority to administer oaths to witnesses.

SPECIAL DUTIES.

902. Inspectors general will, from time to time, designate the articles which, in their opinion, should be procured and kept for sale by the Subsistence Department to officers and enlisted men while in garrison or permanent camps and while in temporary camps or on active campaign. These recommendations will be submitted to the Secretary of War for his action.

STATED INSPECTIONS.

903. Special inspections and investigations within the limits of a command (territorial or tactical) may be made under orders of the commander thereof; but in all cases involving travel his selection of officers to perform such duty shall be restricted to inspectors general, acting inspectors general, or officers of the General Staff Corps on duty as such, at his headquarters under War Department assignment.

904. The annual inspection of the Soldiers' Home in the District of Columbia will be made by the Inspector General of the Army, in person, as required by law; and that of the National Home for Disabled Volunteer Soldiers, its records, disbursements, management, discipline, and condition, will be made by an officer of the Inspector General's Department under the provisions of the act of Congress approved August 18, 1894, who will report in writing, through the Inspector General of the Army, to the Secretary of War, the results of such inspection.

905. All military commands, garrisoned posts, and camps shall be inspected at least once in each fiscal year by the inspector general of the division or department or his assistants. Ungarrisoned posts will be inspected at such times as the division or department commander may direct, ordinarily once in two years. Just prior to the departure of an army transport from a terminal port, and immediately upon its arrival at such a port, it will be minutely inspected by an officer of the Inspector General's Department, or, if no officer of that department is available, by the officer in charge of water transportation. In making this inspection all irregularities and deficiencies found by the inspector or mentioned in the report of the commanding officer of the troops, required by paragraph 230, Army Transport Service Regulations, will be investigated.

906. All armories, arsenals, depots, general hospitals, general recruiting stations, the proving ground at Sandy Hook, N. J., and the military prisoners

in the United States penitentiary at Leavenworth, Kans., will be inspected annually and all national cemeteries once in two years. These inspections and the inspections of accounts of officers disbursing funds under the Secretary of War, and such special inspections of posts and commands as may be deemed advisable, will be directed by the Secretary of War to be made by officers recommended by the Inspector General of the Army, with a view to their special fitness for the work enjoined.

907. Inspections of the military departments and business methods of the Military Academy and of the service schools will be made annually by the Inspector General or officers recommended by him under specific instructions of the War Department.

908. The inspection of disbursements and money accounts of disbursing officers required by act of April 20, 1874, will be made by officers of the Inspector General's Department or by others detailed for that purpose, and, as far as practicable, at irregular intervals, but no officer so detailed shall be in any way connected with the corps or staff department making the disbursement. The frequency of these inspections will be regulated by the Secretary of War.

909. Reports of prescribed inspections of troops, stations, and accounts of disbursing officers under the authority of department or division commanders will be forwarded, through military channels, to The Adjutant General of the Army and transmitted to the Inspector General of the Army. In case irregularities, deficiencies, or misconduct are reported, a commander in forwarding a report will state what remedies he has applied or will apply to correct them, adding any recommendations that he may desire to make. All other reports of inspections will be forwarded directly to the Inspector General of the Army, except when otherwise specially directed, and all inspection reports not confidential will be filed in his office. The Inspector General will submit to the Chief of Staff all reports that contain matters requiring correction.

910. The Inspector General of the Army will keep the inspectors general of the several military divisions or departments informed, through the proper channels, of such inspections of accounts of disbursing officers and of places not under the immediate command of the division or department commander as the Secretary of War desires shall be made by them. Division and department commanders in issuing orders for inspections involving travel will consider the most advantageous and economical plan.

METHODS OF INSPECTION.

911. Inspections of troops will be conducted as prescribed in the authorized drill regulations. When the command consists of more than one company the inspection will, if practicable, be preceded by a review.

912. The written reports of inspectors general and acting inspectors general will set forth a correct return of the troops, the number present at and absent from the station and the absentees from inspection, and whether irregularities, etc., reported at last inspection, have been remedied; after which will follow a statement of the results of the inspection, dealing only with defects, deficiencies, irregularities, recommendations, and commendations whereof the various items will be paragraphed and stated separately. These items will be grouped under the department within whose sphere the responsibility for the conditions stated falls, viz: Commanding officer, Quartermaster's Department, Corps of Engineers, etc. Brief statement will be made of the various drills and exercises held for the inspector and the report concluded with an exposition of the conclusions arrived at as to the military efficiency, discipline, and instruction of the command.

913. Inspections of garrisons and posts will embrace the following subjects:

1. Officers present, those absent on detached duty or otherwise, and those permanently incapacitated for any duty from any cause; whether the number of enlisted men in ranks at inspection corresponds to returns, how absentees are accounted for, and how many appear under arms at inspection; the number of men in the band, and if any are not musicians.

2. Whether the post is adequately armed and supplied, and maps of the post and of the country in its vicinity kept.

3. Whether the commanding officer observes the system of instruction and treatment of subordinates enjoined by the regulations, and properly executes the laws relating to neutrality, quarantine, and the regulations concerning international courtesy, so far as applicable to his post; whether justice is promptly and legally administered; the zeal of the commanding officer and his ability to perform his duties.

4. Whether officers are efficient, reporting any intemperance or immorality, and mentioning any officer or soldier who has distinguished himself or shown special efficiency in any department of study or duty.

5. The manner in which chaplains perform their duties.

6. The efficiency of administrative and staff officers, the correctness of their accounts; whether payments and issues are made in accordance with law and regulations, and whether surplus supplies are taken up on returns and deficiencies accounted for.

7. Efficiency, discipline, and appearance of the troops; state of arms, equipments, and accouterments of all kinds; sufficiency, uniformity, and fit of clothing; whether the schools for officers and enlisted men are held as prescribed and properly conducted; nature and amount of drills, recitations in tactics and drill regulations, target practice, practice marches, practice in outpost duty, field service, minor tactics, and gymnastic exercises; efficiency in signaling; regularity of payment of the troops, their health, and whether the sick are properly cared for; the number and percentage of desertions from each organization during the twelve months preceding the inspection, and, if abnormal, special inquiry as to the cause therefor will be made and the result briefly reported.

8. Police and sanitation of the post; cleanliness, state of repair, and sanitary condition of all buildings; the number, character, and cost of buildings constructed since last annual inspection.

9. Whether there are suitable rooms for use, respectively, as a library, reading room, chapel, and school; sufficient quantities of newspapers and periodicals, schoolbooks, stationery, and school material for the use of enlisted men; whether the newspapers, periodicals, and schoolbooks are solely used by enlisted men; whether the library rooms are used at all by officers, and, if so, whether it interferes with their use by enlisted men; the attendance and progress of pupils and the system of instruction. See also paragraph 347.

10. System of messing; sufficiency, variety, and preparation of food.

11. Whether labor of the supply departments is performed by troops or civilians; if by the latter, their number, cost attending and reasons for their employment, and kind of labor performed by them.

12. Means of transportation and its condition; training, grooming, shoeing, suitability, veterinary treatment and condition of public animals, and number unserviceable; also the suitability for military purposes of horses owned by officers when, by reason of such ownership, the officers concerned draw additional pay.

13. Condition of all public property, and whether used for private purposes; whether buildings and property are properly secured against fire, theft, and damage.

14. Whether sales of subsistence stores are made to enlisted men according to regulations; whether there are damaged stores, and if so, in what quantities and how damage was caused.

15. Water supply, facilities for laundry work, bathing and swimming, system and condition of sewerage and drainage, and means of extinguishing fire.

16. Management and success of post exchange, and whether properly supplied and conducted according to regulations; extent, necessity for, and kind of gardens, success attending, and number of men employed therein.

17. Management and application of the regimental, bakery, company, mess, and post-exchange funds, and whether the provisions of Articles XXXIII and XXXIV are complied with.

18. Whether regimental, post, and company books, papers, and files, and those of the post staff departments, including chaplain's records, are properly kept, and the prescribed rolls and returns are properly prepared and promptly forwarded.

19. Condition of post cemetery and its records.

20. Efficiency of Hospital Corps in ambulance and litter-bearers' drill, and methods of rendering first aid to the wounded.

914. Inspectors general and acting inspectors general while inspecting a command will call upon post, regimental, battalion, and company commanders and post surgeons for a report by name of any officer under their immediate command who is incapacitated for service either mentally, morally, or physically. When any officer is so reported, the inspector will thoroughly investigate the case and submit his conclusions therein to the officer ordering the inspection.

915. On completion of an inspection of a post or other command of troops, the inspector general or acting inspector general will furnish its commanding officer a written statement of all irregularities and deficiencies observed, which will be kept on file for the information of commanding officers and inspectors. The commanding officer, as soon as practicable, will submit to the next higher commander a copy of this statement, with a report showing what remedies he has applied or will apply to correct each of the irregularities or defects found, and will recommend the proper action with regard to those that he has not power or authority to remedy. These reports and statements will be promptly forwarded, through military channels, to The Adjutant General of the Army, by whom they will be transmitted to the Inspector General. At arsenals, depots, and stations not under the supervision of division or department commanders inspectors will furnish like statements, and commanding officers will forward copies thereof with their reports to The Adjutant General for file with the inspection reports to which they pertain.

DISBURSEMENTS AND ACCOUNTS.

916. Inspectors general and acting inspectors general will inquire as to the necessity, economy, and propriety of all disbursements, their strict conformity to the law appropriating the money, and whether the disbursing officers comply with the law in keeping their accounts and making their deposits. A statement of receipts and expenditures and of the distribution of funds, with lists of outstanding checks, on forms furnished by the Inspector General of the Army, will be submitted by the disbursing officer to the inspector, who should immediately transmit the lists of outstanding checks to the several depositaries. Upon return from a depositary, balances will be verified and noted on the inspection report, which will then be forwarded to the Inspector General, with a copy of each list of outstanding checks and the indorsements thereon.

The original lists will be retained by the inspector to be used at the next inspection of the officer's accounts, and then sent to the Inspector General.

917. When an officer ceases to act as a disbursing officer, or for any reason closes his accounts, he will prepare a closing statement of his money accounts, from date of last inspection to and including the closing of his accounts, with a separate list of checks outstanding for each depositary. If he is under the command of a division or department commander, or his accounts are assigned for inspection to the division or department inspector, he will forward the statement and list of checks to division or department headquarters, through military channels, for the usual action, including inspection if practicable. If disbursing under the direction of the Secretary of War without such assignment, he will forward his papers directly to The Adjutant General of the Army, who will transmit them to the Inspector General of the Army.

PROPERTY FOR CONDEMNATION.

918. Except as provided in paragraph 728, inspections having in view the condemnation of property will be made by inspectors general or acting inspectors general; but in cases of emergency, such as when a station is abandoned or when troops change station, such inspections may be made by officers specially designated by the commander of a territorial division or department, or the commander of a division, corps, or army in the field, or higher authority.

919. Officers will prepare and sign in triplicate, on blank forms furnished by the Inspector General of the Army, inventories of public property requiring inspection, and present them, with the property, to the inspector general or acting inspector general at the time of his visit. In the case of rapidly deteriorating subsistence stores or of unserviceable public animals, or pressing emergency, such inventories will be prepared whenever necessary, and one copy will be forwarded to the commander having authority to appoint an inspector. Public animals will be inventoried singly, with a brief description of color, sex, age, and distinguishing marks. Public buildings which have become unserviceable and can not be kept in repair at reasonable cost, or which occupy ground required for new buildings or other improvements, will be entered upon a separate inventory and brought before an inspector for his action.

920. For inspection the property will be arranged in the order of enumeration in the inventory, every article will be examined by the inspector, and the officer responsible will accompany him and be prepared to give all necessary information in regard to it.

921. Inspectors will examine all property properly presented for condemnation. When all property presented has been destroyed, one inventory and inspection report will be forwarded by the inspecting officer, through proper channels, to the Inspector General of the Army and the others will be delivered to the accountable officer. In cases in which the inspector recommends the sale of any property, or its transfer to depots, he will forward all the inventories and inspection reports to department, division, or army corps headquarters, and if the inspector's action is approved by the department, division, or army corps commander, 2 will be returned to the accountable officer and the other forwarded, through proper military channels, to The Adjutant General of the Army, to be transmitted to the Inspector General of the Army, and, in similar cases, when the accountable officer is not serving under the department, division, or army corps commander and all the property has been destroyed, 1 copy of the inventory and inspection report will be forwarded to the Inspector General of the Army and 2 to the accountable officer, or if sale or transfer of the property is recommended, the inspecting officer will forward all the inventories and inspection reports to the Inspector General of the Army, who will forward them

to the Chief of Staff through the chief of the bureau concerned; 1 copy will be returned to the Inspector General and 2 to the accountable officer.

922. Inspectors will exercise great care in examining property submitted to them for condemnation and in making recommendations regarding its disposition. Articles "to be continued in service" are such as are still serviceable. Those "to be dropped" from the returns are such as can not be sold at the post and are not worth cost of transportation to an arsenal or depot for repair. If worthless, they must be so far destroyed as to prevent any possibility of future presentation. Such articles as can not be destroyed will, when practicable, be marked "I. C." (inspected—condemned), or will be broken up and the serviceable parts retained. Condemned animals will be branded "I. C." on the neck under the mane. Should the inspector's recommendation be disapproved in regard to articles marked "I. C.," the marks will be canceled and a certificate of the fact given to the responsible officer. Suitable brands and stencils will be kept for use of inspectors at posts and depots. Articles "to be sold at post" are such as are of no further public use or not worth cost of transportation to a depot. Those "to be turned in to depot" are such as can not be repaired at the post and are worth cost of transportation. Small arms found to be unfit for service, and hand arms and personal and horse equipments ordered turned in to depot, will first be turned in to the post ordnance officer, who will, when sufficient stores have accumulated to make an economical shipment, send them to an arsenal designated by the Chief of Ordnance. Property will not be turned in to depots without authority from the head of the staff department to which the property pertains, except in the Philippines Division, where such authority may be given by the commanding general of the division. The authority herein referred to, of heads of staff departments, will usually be given in general terms in the form of approved memoranda indicating the most advantageous method of disposing of various classes of unserviceable property, which memoranda will serve as guides to department and higher commanders and inspectors. When property ordered "to be turned in to depot" on the recommendation of an inspector is found, upon receipt at the depot, to be in such condition that it can not be made suitable for issue, it may be destroyed or broken up under such instructions as may be given by the head of the department concerned.

923. Public property in use will not be reported as unserviceable nor condemned by an inspector merely because worn or shabby in appearance when really strong and serviceable.

924. Great care will be taken to prevent property once condemned and ordered dropped from the returns from being again presented for inspection. When public property is presented to an inspector for condemnation, the officer responsible will certify on the inventory that the property has not been previously condemned.

925. Inspectors will, when practicable, cause the destruction, in their presence, of all property found to be worthless and which is without money value at or near the place of inspection, except small arms, and will state in their reports that "the articles recommended to be destroyed have no money value at or near the post." The action of an inspector on property of this character will be final, and his report will be a valid voucher for the responsible officer. Inspectors will be held responsible for their action in this particular. When property thus condemned is not destroyed in the presence of the inspector or a disinterested officer representing the inspector, the responsible officer will certify to the fact of subsequent destruction in his presence.

926. An inspection report on damaged clothing will set forth the amount of damage to each article; also a list of such articles as are fit to issue to prisoners, or, at reduced prices, to enlisted men willing to receive them.

927. Department or higher commanders may give orders, on the reports of authorized inspectors, to make such disposition of condemned property as the case may require, except public buildings, for which the order of the Secretary of War is required. If the property be of considerable value, and there be good reason to suppose that it can be more advantageously applied or disposed of elsewhere than within the command, the report will be forwarded for the action of the War Department.

928. The following-mentioned property will not be presented for the action of an inspector without the authority of the Secretary of War:

1. Cannon and their carriages, machine and automatic guns with their carriages and mounts, but not including spare parts, accessories, implements, and equipments required in their maintenance and operation; also ammunition for cannon.

2. Electrical and mechanical installations and appliances furnished to the Coast Artillery Corps by the Engineer Department or the Signal Department and forming part of the permanent seacoast defenses, but not including supplies such as wiring, tools, clamps and battery fluid, fragile articles like battery cells or jars and carboys, or spare parts and accessories not essential to the operation of the installation, such as battery syringes and hydrometers.

All of the copies of the inventory and inspection report on such property will be forwarded by the department commander directly to the chief of the bureau concerned for the final action of the Secretary of War.

929. Orders for the final disposition of condemned property will be indorsed by the proper authority on the inspection reports, each copy being made complete in itself. One will be forwarded, through military channels, to the Inspector General of the Army, and the others to the accountable officer, who will forward one with his accounts and file the other with his retained papers.

ARTICLE LXIX.

Judge Advocate General's Department.

930. The Judge Advocate General is the custodian of the records of all general courts-martial, courts of inquiry, and military commissions, and of all papers relating to the title of lands under the control of the War Department, except the Washington Aqueduct and the public buildings and grounds in the District of Columbia. The officers of this department render opinions upon legal questions when called upon by proper authority.

931. The judge advocate of each department, or the officer acting as such, will, as soon as practicable after June 30 of each year, render to the Judge Advocate General a report for the year terminating on that date, giving the number and character of cases tried by courts-martial in the department during the period. This report will separately classify the trials of officers and enlisted men, and show, whether by general, garrison, or summary courts, the number of acquittals in each class and the number of different men tried by inferior courts, and contain his recommendations and remarks touching the administration of military justice.

932. The original proceedings of all general courts-martial, courts of inquiry, and military commissions, with the decisions and orders of the reviewing authorities made thereon, and the proceedings of all general courts-martial, courts of inquiry, and military commissions which require the confirmation of the President, but which have not been appointed by him, will be forwarded directly to the Judge Advocate General. One copy of the order promulgating the action of the court and a copy of every subsequent order affecting the case will

be forwarded to the Judge Advocate General with the record of each case. When more than one case is embraced in a single order, a sufficient number of copies will be forwarded to enable one to be filed with each record. The proceedings of all courts and military commissions appointed by the President will be sent directly to the Secretary of War.

933. Judge advocates and acting judge advocates will forward to the Judge Advocate General, on June 30 each year, with the reports prescribed in paragraph 931, lists of the law books for which they are responsible.

934. Applications of officers, enlisted men, and military prisoners for copies of proceedings of general courts-martial, to be furnished them under the one hundred and fourteenth article of war, will, when received by post or other commanders, be forwarded directly to the Judge Advocate General.

935. Communications relating to proceedings of military courts on file in the Judge Advocate General's Department will be addressed and forwarded directly by department commanders to the Judge Advocate General. In routine matters, the Judge Advocate General and judge advocates may correspond with each other directly.

936. The reports which the Judge Advocate General of the Army may render upon cases received by him, and which require the action of the President, will be transmitted to The Adjutant General of the Army for record and for submission to the Chief of Staff for the consideration of the Secretary of War and the President. After final action is had by superior authority in such cases, all the papers will be returned to The Adjutant General of the Army, who, before publishing the action taken, will refer the papers to the Judge Advocate General of the Army for further scrutiny.

ARTICLE LXX.

Arrest and Confinement.

937. Only commanding officers have power to place officers in arrest, except as provided in the twenty-fourth article of war. An arrest may be ordered by the commanding officer, in person or through a staff officer, orally or in writing.

938. An officer arrested will repair at once to his tent or quarters, and there remain until more extended limits have been granted by the commanding officer. Close confinement will not be enforced except in cases of a serious nature.

939. Officers will not be placed in arrest for light offenses. For these the censure of the commanding officer will generally answer the purpose of discipline. Whenever a commanding officer places an officer in arrest and releases him without preferring charges he will make a written report of his action to the department commander, stating the cause. The department commander, if he thinks the occasion requires, will call on the officer arrested for any explanation he may desire to make, and take such other action as he may think necessary, forwarding the papers to The Adjutant General of the Army for file with the officer's record, or for further action.

940. In ordinary cases where inconvenience to the service would result from it, a medical officer will not be placed in arrest until the court-martial for his trial convenes.

941. An officer in arrest will not wear a sword nor visit officially his commanding or other superior officer, unless directed to do so. His applications and requests of every nature will be made in writing.

942. On the march, field officers and noncommissioned staff officers in arrest will follow in the rear of their respective regiments, and company officers and

noncommissioned officers in arrest in rear of their respective companies, unless otherwise specially directed.

943. Enlisted men against whom charges have been preferred will be designated as "awaiting trial;" enlisted men who have been tried will, prior to the promulgation of the result, be designated as "awaiting result of trial;" enlisted men serving sentences of confinement, not involving dishonorable discharge, will be designated as "garrison prisoners;" those sentenced to dishonorable discharge and to terms of confinement at military posts or elsewhere will be designated as "military convicts."

944. Noncommissioned officers will not be confined at the guardhouse in company with privates, except in aggravated cases or where escape is feared, but will be placed in arrest in their barracks or quarters.

945. Except as provided in the twenty-fourth article of war, or when restraint is necessary, no soldier will be confined without the order of an officer, who shall previously inquire into his offense.

946. The arrest or confinement of an enlisted man will be reported, as soon as practicable, to his company or detachment commander by the officer authorizing the arrest or confinement.

947. Prisoners awaiting trial by, or undergoing sentence of, general court-martial and those confined for serious offenses will, if practicable, be kept apart from those confined by sentence of an inferior court, or for minor offenses. Enlisted men awaiting trial or awaiting result of trial will not be sent to work with garrison prisoners or military convicts if it can be avoided, and may, in the discretion of the commanding officer, be required to attend drills, or sent to work under charge of a sentinel, during the usual working hours. Military convicts will not be confined with other prisoners except in cases of necessity.

948. Soldiers against whom charges may be preferred for trial by summary court will not be confined in the guardhouse, but will be placed in arrest in quarters, before and during trial and while awaiting sentence, except when in particular cases restraint may be necessary.

949. If there are any prisoners with no record of charges against them, the old officer of the day will report that fact to the commanding officer, who will give the necessary instructions.

950. Prisoners will not be placed in irons except pursuant to sentence of a court-martial, or in the extraordinary case of a prisoner who, in the judgment of the commanding officer, is a desperate or dangerous character, in which case report of action and the circumstances will be immediately made to the department commander. A prisoner may be shackled or handcuffed while being transported from one post to another, or from a post to a penitentiary when, in the judgment of the officer in charge, the escape of the prisoner can not otherwise be prevented.

951. The Secretary of War will designate certain posts as places where military convicts sentenced to confinement for six months or more shall serve their sentences. Special rules and regulations will be promulgated by the War Department to govern the enforcement of discipline, the methods of guarding, and the treatment of these prisoners; also the measure of labor to be imposed and the character of clothing and diet to be furnished them.

952. The commanding officer at posts where military convicts are confined will, on the last day of every month, forward to The Adjutant General of the Army and to department headquarters a return of military convicts. Blank forms for this return will be furnished by the Adjutant General's Department.

953. Prisoners will be forwarded from places of trial to posts at which they are sentenced to serve confinement only on orders of department commanders or higher authority. The strength of guards to accompany them will be limited

to the necessities of safe delivery. Orders detailing guards in charge of military prisoners will provide for the return journey of the guard and for commutation of rations, when such commutation is necessary. The commanding officer of a post from which a prisoner is transferred will send, under seal, to the commanding officer of the post or prison to which the prisoner is transferred, the following papers in his case, viz: Descriptive list, orders promulgating and modifying sentences, statement of conduct while under sentence to date of transfer, and a list of clothing in possession of the prisoner when forwarded. In the case of a military convict the commanding officer will send the discharge papers of the convict, together with all the other papers hereinbefore described, except the descriptive list; in lieu of that list the commanding officer will send a certified copy of the convict's record as recorded on the form furnished by the Adjutant General's Department for keeping such records.

954. All serviceable clothing which belongs to a prisoner, and his blankets, will accompany him to the post designated for his confinement, and will be fully itemized on the clothing list mentioned in the preceding paragraph. The guard in charge of the prisoner during transfer will be furnished with a duplicate of this list and will be held responsible for the delivery of all articles itemized therein, with the prisoner. At least one serviceable woolen blanket will be sent with every such prisoner so transferred.

955. The personal effects of military prisoners who have escaped from confinement, except such as possess some special value as keepsakes, may be disposed of by sale as in the case of effects of deceased soldiers, and the proceeds thereof, together with any money left by the prisoner in the hands of the company commander, be turned over to a paymaster, who should account for the same in the manner provided for paymasters' collections. The officer will take the paymaster's receipt for the amount paid him and forward the same to the Auditor for the War Department.

956. No military convict will be released from confinement except on an order communicated by the commanding officer, who, before giving such order, will himself verify the date of expiration of the convict's sentence by examining all orders fixing or modifying his term of confinement.

957. Military convicts, other than those confined in penitentiaries, will be allowed in abatement of their terms of confinement when serving sentences of over three months and not over twelve months five days for each complete period of twenty-five days during the whole of which their conduct has been good; but the abatement of five days so authorized shall not have the effect in any case of reducing the confinement below three months. On sentences exceeding one year they will be allowed the foregoing abatement for the first year of the sentence including abatement, and thereafter ten days for each complete period of twenty days during the whole of which their conduct has been good. Abatements thus authorized may be forfeited, wholly or in part, by subsequent misconduct, such forfeiture to be determined by the commanding officer of the post where the prisoner is confined. A military convict serving sentence in a penitentiary will be allowed the abatement authorized for convicts in that penitentiary.

958. The power to remit or mitigate punishment imposed by a court-martial, vested in the authority who appointed the court or the corresponding authority under whose jurisdiction the sentence is being executed, extends only to unexecuted portions of a sentence. If the punishment be one imposed by a general court-martial, it may be remitted or mitigated only by an officer competent to order a general court-martial and under whose jurisdiction the sentence is being executed. The fact that a soldier has been dishonorably discharged

through his sentence does not affect this power. An application for clemency in case of a prisoner sentenced to confinement in a penitentiary, or in the United States Military Prison or any branch thereof, will be forwarded to the Secretary of War for the action of the President. A military prisoner sentenced to confinement in a penitentiary, or in the United States Military Prison or any branch thereof, will, so far as concerns the exercise of clemency, be considered to have passed beyond the jurisdiction of a division or department commander from the date of the approval of his sentence, without regard to the fact of his being temporarily retained within the command of the division or department commander pending transfer to a penitentiary, or the United States Military Prison or any branch thereof. The power to commute sentences imposed by military tribunals, not being vested in military commanders, can be exercised by the President only.

ARTICLE LXXI.

Courts-Martial.

959. The order appointing a court-martial will name its members in order of rank, and they will sit according to rank as announced. A decision of the appointing authority as to the number that can be assembled without injury to the service is conclusive.

960. The place of holding a court is designated by the authority appointing it. Courts will be assembled at posts or stations where trial or examination will be attended with the least expense. A member stationed at the place where it sits is liable to duty with his command during adjournment from day to day. Courts will, as far as practicable, hold their sessions so as to interfere least with ordinary routine duties.

961. A president of the court will not be announced. The officer highest in rank present will act as president.

962. A court-martial has no power to punish its members; but for disorderly conduct a member is liable as for other offenses against military discipline. Improper words used by him should be taken down in writing, and any disorderly conduct reported to the appointing authority.

963. When a court sits in closed session, the judge advocate will withdraw, and when legal advice or assistance is required it will be obtained in open court.

Subpœnas to witnesses.

964. The judge advocate will summon the necessary witnesses for the trial, but will not summon witnesses at the expense of the Government without the order of the court, unless satisfied that their testimony is material and necessary. A subpœna may be served by any person.

965. Judge advocates of courts-martial will, whenever it is possible, send subpœnas through military channels.

966. An officer or enlisted man who receives a summons to attend as a witness before any military court, board, civil court, or other tribunal competent to issue subpœnas, which is sitting beyond the limits of the department where he is serving, will, before starting to obey the summons, forward it, through the proper channel, to his department commander, that necessary orders or authority to obey a civil process may be given. In urgent cases, or when the public interest would be liable to suffer by delay, a post commander may authorize immediate departure, reporting his action and the reasons therefor to the department commander.

WRITS OF ATTACHMENT.

967. Judge advocates of military courts, in issuing process under section 1202, Revised Statutes, to compel the attendance, as witnesses, of persons not in the military service in the State, Territory, or District in which the court sits, will formally direct the same to an officer designated by the department commander to execute it. The nearest military commander will furnish the necessary military force for the execution of the process, if force be required.

CHARGES AND SPECIFICATIONS.

968. Commanding officers are not required to bring every dereliction of duty before a court for trial, but will endeavor to prevent their recurrence by admonitions, withholding of privileges, and taking such steps as may be necessary to enforce their orders. Company commanders are authorized, subject to the control of the commanding officer of the post, to dispose of cases of derelictions of duty in their commands which would be within the jurisdiction of inferior courts-martial, by requiring extra tours of fatigue, unless the soldier concerned demands a trial. This right to demand a trial must be made known to him.

969. Charges against an enlisted man forwarded to the authority competent to appoint a general court-martial for his trial will be accompanied by the statement of service properly filled out, the proper evidence of previous convictions, if any, and a brief statement of the evidence expected from each witness, together with a statement of any other available evidence in the case.

970. Before forwarding charges they will be carefully investigated by the commanding officer, or an officer designated by him, other than the officer preferring the charges, and in forwarding the charges the name of the officer making the investigation will be noted in the commanding officer's indorsement. The commanding officer will state in his indorsement whether or not, in his opinion, the charges can be sustained. In order that military jurisdiction may promptly vest, charges will be preferred immediately in every case that is subject to military jurisdiction but in which the offense is of such a nature that it is possible for the civil courts also to claim jurisdiction; and in such a case if the officer competent to order trial by general court-martial deems it inadvisable to bring the case to trial he will forward the charges with his views thereon to The Adjutant General of the Army. Before referring to summary courts charges for which the maximum limit of punishment that may be awarded is greater than one month's forfeiture and confinement, commanding officers will cause the accused to sign a statement on the original charges as to whether or not he consents to trial by summary court. A note of this statement in each case will also be entered on the record of the summary court and on the monthly report of trials by such court.

971. Charges submitted for trial by a summary court should be accompanied by evidence of previous convictions, to be furnished when practicable by the officer preferring the charges; or, if the evidence is contained in the summary court record, a reference to it will be sufficient. If this evidence is not submitted or cited, the summary court may take judicial notice of any such evidence which that record contains. Charges submitted to a garrison or regimental court-martial must be accompanied by the proper evidence of previous convictions.

972. The charges preferred for offenses cognizable by inferior courts will be laid before the proper commander, who, if he thinks that the accused should be tried, will cause him to be brought before the summary court, where he will be arraigned and allowed to plead according to prevailing court-martial prac-

tice. If the accused neither holds a certificate of eligibility to promotion, nor (being a noncommissioned officer) objects to trial by summary court, nor pleads guilty, witnesses will be sworn and evidence received, the accused being permitted to testify in his own behalf and make a statement; but the evidence and statement will not be recorded. The summary court as soon as trial is concluded will record its findings and sentence in the summary court record and submit it to the officer appointing the court, who will record therein his approval or disapproval, in part or in whole, with date and signature. Should the only officer present with the command sit as summary court, the findings and sentence will be recorded in like manner. No other record of the proceedings will be kept, and such trials will not be published in orders. Post commanders will furnish company and other commanders with copies of the summary court record relating to men of their commands, said copies to be certified to be true copies by the post commander or adjutant.

973. When the only officer present with a command sits as summary court, no approval of the sentence is required by law, but he should sign the sentence as such officer and date his signature.

974. Noncommissioned officers will not, if they object thereto, be brought to trial before regimental, garrison, or summary courts-martial without the authority of the officer competent to order their trial by general court-martial; nor will post noncommissioned staff officers, or sergeants, first class, Hospital Corps, be reduced, but they may be dishonorably discharged whenever reduction is included in the limit of punishment.

975. The summary court will be opened at a stated hour every day except Sunday for the trial of such cases as may properly be brought before it. Trials will be had on Sunday only when the exigencies of the service make it necessary. The commanding officer, and not the court, will determine when and what cases shall be brought before it. Delay in the trial of a soldier by summary court does not invalidate the proceedings, but may be considered by the court in awarding sentence.

976. Whenever under the summary court act or the eighty-third article of war it becomes necessary to convene a garrison or regimental court, the order appointing it will state the facts which bring the cases to be tried within the exceptions of those laws.

TRIALS.

977. The commanding officer of a post where general court-martial is convened will, at the request of any prisoner who is to be arraigned, detail as counsel for his defense a suitable officer. If there be no such officer available, the fact will be reported to the appointing authority for action. An officer so detailed should perform such duties as usually devolve upon counsel for defendant before civil courts in criminal cases. As such counsel he should guard the interests of the prisoner by all honorable and legitimate means known to the law, so far as they are not inconsistent with military relations.

978. Whenever a soldier is convicted of an offense for which a discretionary punishment is authorized, the court will receive evidence of previous convictions, if there be any, such evidence being limited, except in the case of desertion, to previous convictions by courts-martial for any offense or offenses within one year preceding the date of commission of any offense charged and during the current enlistment. General, regimental, and garrison courts-martial will, after a finding of guilty, be opened for the purpose of ascertaining whether there is such evidence, and, if so, of receiving it. Previous convictions by courts-martial must be proved by the records of previous trials and convictions, or by duly

authenticated copies of such records, or by duly authenticated copies of the orders promulgating such trials. General courts-martial will consider only such evidence of previous convictions as is referred to them by the convening authority. The proper evidence of previous convictions by summary court is the copy of a summary court record furnished to company and other commanders, as required by paragraph 972, or one furnished for the purpose and certified to be a true copy by the post commander or adjutant. When the proof produced is the copy furnished to the company or other commander, it will be returned to him and a copy of it attached to the record of the general, regimental, or garrison court-martial trying the case.

SENTENCES.

979. Whenever by any of the Articles of War punishment is left to the discretion of the court, it shall not, in time of peace, be in excess of a limit which the President may prescribe. The limits so prescribed are set forth in the Manual for Courts-Martial, published by authority of the Secretary of War.

980. Sentences imposing tours of guard duty are forbidden.

981. When the sentence of a court-martial prescribes imprisonment, the court will state therein whether the prisoner shall be confined in a penitentiary or in some place under military jurisdiction, being guided in its determination by the ninety-seventh article of war. Where from any cause there is a doubt in the mind of the court whether the offense is punishable by penitentiary confinement, such words as "in such place as the reviewing authority may direct" will be used in the sentence.

982. General courts-martial may sentence soldiers to confinement in a penitentiary for offenses which are thus punishable by some statute of the United States or by a statute or the common law of the State, Territory, or District in which the offenses are committed. Department commanders will designate the United States penitentiary at Leavenworth, Kans., as the place of such execution of sentence, in cases in which the term of confinement imposed is more than one year. If any State or Territory within a military department has made provision by law for the confinement of such prisoners in its penitentiaries, the department commander, with the approval of the Secretary of War, may designate one as the place of execution of sentence.

983. When the court has sentenced a prisoner to confinement at a post, no power is competent to increase the punishment by designating a penitentiary as the place of confinement.

984. When a sentence of confinement or forfeiture is in excess of the legal limit, the part within the limit is legal and may be executed.

985. When the date for the commencement of a term of confinement imposed by sentence of a court-martial is not expressly fixed by the sentence, the term of confinement begins on the date of the order promulgating it. The sentence is continuous until the term expires, except when the person sentenced is absent without authority.

986. The order promulgating the proceedings of a court and the action of the reviewing authority will, when practicable, be of the same date. When this is not practicable, the order will give the date of the action of the reviewing authority as the date of the beginning of the sentence. This does not apply to sentences of forfeiture of all pay and allowances. A soldier awaiting result of trial will not be paid before the result is known.

987. The authority which has designated the place of confinement, or higher authority, may change the place of confinement of any prisoner under the jurisdiction of such authority.

988. A sentence to confinement, with or without forfeiture of pay, can not become operative prior to the date of confirmation. If it be proper to take into consideration the length of confinement to which the prisoner has been subjected previous to such confirmation, it may be done by mitigation of sentence.

989. When soldiers awaiting result of trial or undergoing sentence commit offenses for which they are tried, the second sentence will be executed upon the expiration of the first.

990. A sentence adjudging a dishonorable discharge, to take effect at such period during a term of confinement as may be designated by the reviewing authority, is illegal.

991. The time at which a dishonorable discharge is to take effect, as fixed by a sentence, can not be postponed by the reviewing officer.

992. When a sentence imposes forfeiture of pay, or of a stated portion thereof, for a certain number of months, it stops for each of those months the amount stated. Thus: "Ten dollars of monthly pay for one year" would be a stoppage of $120. When the sentence is silent as to the date of commencement of forfeiture of pay, the forfeiture will begin with the period for which pay has accrued since last payment. A forfeiture not limited by the sentence to any particular month or months or other space of time, but expressed simply as a forfeiture of so many months' pay, or of a certain amount of pay, is legally chargeable against the pay due and payable at the next payment, and the balance, if any, against pay accruing thereafter, until the forfeiture is fully satisfied, but the rate of forfeiture will be the rate of pay the soldier is entitled to receive at the date of the promulgation of the sentence.

993. An order remitting a forfeiture of pay operates only on the pay to become due on and after the date of the order.

994. Notwithstanding a sentence contemplates payment of a stated sum to a soldier upon his release from confinement, it can not be made unless there is a sufficient balance to his credit after all authorized stoppages are deducted.

THE RECORD.

995. Every court-martial shall keep a complete and accurate record of its proceedings, which will be authenticated, in each case, by the signatures of the president and judge advocate. Whenever, by reason of the death or disability of the judge advocate occurring after the court has decided on the sentence, the record can not be authenticated by his signature, it must show that it has been formally approved by the court and must be authenticated by the signature of the president. The judge advocate should affix his signature to each day's proceedings. Testimony taken before regimental or garrison courts-martial will not be reduced to writing.

996. When records of trial by general courts-martial are written on the typewriter the copyable ribbon will be used when practicable, as this will save labor in making the copies required to be furnished under the one hundred and fourteenth article of war.

997. The judge advocate will transmit the proceedings without delay to the officer having authority to confirm the sentence, who will state at the end of the proceedings in each case his decision and orders.

998. The complete proceedings of a garrison or regimental court, except when convened at recruit depots and recruiting stations and other places exempted from the jurisdiction of commanders of territorial divisions and departments by paragraph 189, will be transmitted without delay by the post or regimental commander to department headquarters. Where such courts were convened at recruit depots, recruiting stations, and other exempted places, the reports and

records of such courts will be forwarded directly to The Adjutant General of the Army.

999. When the record of a court exhibits error in preparation, or seemingly erroneous conclusions, the reviewing authority may reconvene the court for a reconsideration of its action, pointing out defects. Should the court concur in the views submitted, it will proceed by amendment to correct its error, and may modify or completely change its findings. A reopening of the case, by calling or recalling witnesses, is illegal.

1000. Trials by general courts-martial, including so much of the proceedings as will give the charges and specifications, the pleadings, findings, and sentence, and the action and remarks of the reviewing authority, will be announced in general orders issued from the War Department or from the proper division or department headquarters. If the charges contain matter which for any reason is unfit for publication, such matter will be omitted from the order, but a copy thereof will be promptly furnished by the reviewing authority to the commanding officer of the post at which the officer or soldier is confined, to be included with the papers required by paragraph 953 to be sent to the commanding officer of the post or military prison where the sentence of confinement is to be executed.

1001. Commanders of divisions or separate brigades convening general courts-martial pursuant to the seventy-third article of war, or acting as reviewing authority on proceedings thereof, will forward the same to the Judge Advocate General of the Army through their respective corps commanders. If errors are found in the proceedings demanding it, the corps commander may return them to the reviewing authority for any necessary action before forwarding them to the Judge Advocate General of the Army.

REPORTERS, CLERKS, INTERPRETERS.

1002. The commanding officer will detail, when necessary, a suitable enlisted man as clerk to assist the judge advocate of a general court-martial or military commission, or the recorder of a court of inquiry.

1003. A judge advocate of a general court-martial or military commission, and a recorder of a court of inquiry, when appointed by a general officer or a colonel exercising the command of a general officer, may employ, when authorized by the convening authority, a stenographic reporter who shall be paid at the following rates of compensation by the Pay Department on vouchers certified to be correct by the judge advocate or recorder, who will forward a copy of the same with the record:

For each case not to exceed $1 an hour for time actually spent in court during the trial or hearing except when the court or commission sits less than three hours during the first day, when the allowance for such day shall be $3. Time will be reckoned to the nearest half of an hour.

Fifteen cents for each 100 words for transcribing notes and making that portion of the original record which is typewritten; but no allowance shall be made for the first carbon copy of that portion of the record which is typewritten or for original papers which are appended as exhibits.

Ten cents for each 100 words for copying papers material to the inquiry, and 2 cents for each 100 words for each carbon copy of the same, when ordered by the court or commission for its use.

Two cents for each 100 words for the second and each additional carbon copy of the record when authorized by the convening authority.

Except for such part of the journey as may be covered by Government transportation, mileage at the rate authorized for a civilian witness not in Govern-

ment employ, and $3 a day for expenses when the judge advocate or recorder keeps him, at his own expense, away from his usual place of employment for twenty-four hours or more, on public business referred to the court or commission, shall be allowed the reporter for himself, and, when ordered by the court or commission, for each necessary assistant.

The judge advocate or recorder shall require the reporter to furnish the typewritten record of the proceedings of each session of the court or commission with one carbon copy of the same not later than twenty-four hours after the adjournment of that session. The complete record to be finished, indexed, bound, and ready for authentication not later than forty-eight hours after the completion of its action by the court or commission on the merits of the case or hearing.

1004. No person in the military or civil service of the Government can lawfully receive extra compensation for clerical duties performed for a military court.

1005. Interpreters to courts-martial are paid by the Pay Department upon the certificate of the judge advocate that they were employed by order of the court. They will be allowed the pay and allowances of civilian witnesses.

ARTICLE LXXII.

Civilian Witnesses.

1006. Civilians in the employ of the Government when traveling upon summons as witnesses before military courts are entitled to transportation in kind from their place of residence to the place where the court is in session and return. If no transportation be furnished, they are entitled to reimbursement of the cost of travel actually performed by the shortest usually traveled route, including transfers to and from railway stations, at rates not exceeding 50 cents for each transfer, and the cost of a double berth in a sleeping car or steamer when an extra charge is made therefor. They are also entitled to reimbursement of the actual cost of meals and rooms at a rate not exceeding $3 per day for each day actually and unavoidably consumed in travel or in attendance upon the court under the order or summons. No allowance will be made to them when attendance upon court does not require them to leave their stations.

1007. A civilian, not in Government employ, duly summoned to appear as a witness before a military court or at a place where his deposition is to be taken for use before such court, will receive $1.50 for each day of his actual attendance before such court or for the purpose of having his deposition taken, and 5 cents a mile for going from his place of residence to the place of trial or of the taking of his deposition, and 5 cents a mile for returning, except as follows:

1. In Porto Rico and Cuba he will receive $1.50 a day while in attendance as above stated, and 15 cents for each mile necessarily traveled over stage line or by private conveyance, and 10 cents for each mile over any railway or steamship line.

2. In Alaska, east of the one hundred and forty-first degree of west longitude, he will receive $2 a day while in attendance as above stated, and 10 cents a mile; and west of said degree $4 a day and 15 cents a mile.

3. In the States of Wyoming, Montana, Washington, Oregon, California, Nevada, Idaho, Colorado, and Utah, and in the Territories of New Mexico and Arizona, he will receive $3 a day for the time of actual attendance as above

stated, and for the time necessarily occupied in going to and returning from the same, and 15 cents for each mile necessarily traveled over any stage line or by private conveyance, and 5 cents for each mile by any railway or steamship.

1008. In case a civilian witness duly subpœnaed before a general court-martial refuses to appear or qualify as a witness, or to testify or produce documentary evidence, as required by law, he will at once be tendered or paid by the nearest paymaster one day's fee and mileage for the journeys to and from the court, and will thereupon be again called upon to comply with the requirements of law. The fees and mileage of civilian witnesses residing beyond the limits of the State, District, or Territory in which the court-martial is held will not be paid in advance, as such witnesses can not be punished if they refuse to obey the summons. Civilian witnesses will be paid by the Pay Department.

1009. The charges for return journeys of witnesses will be made upon the basis of the actual charges allowed for travel to the court, and the entire account thus completed will be paid upon discharge from attendance without waiting for completion of return travel.

1010. The items of expenditure authorized in paragraphs 1006 and 1007 will be set forth in detail and made a part of each voucher for reimbursement. No other items will be allowed.

The certificate of the judge advocate will be evidence of the fact and period of attendance, and will be made upon the voucher.

When payment is made under the provisions of paragraph 1006, the correctness of the items will be attested by the affidavit of the witness, to be made, when practicable, before the judge advocate.

1011. Compensation to civilians in or out of Government employ for attendance upon civil courts is payable by the civil authorities.

ARTICLE LXXIII.

Employment of Civil Counsel—Habeas Corpus.

1012. The employment of counsel at the expense of the United States is under the direction of the Department of Justice.

1013. When a necessity arises for an attorney or counselor to defend or advise officers and others connected with the military service in cases connected with their public duties, request, with report of the facts, will be made to The Adjutant General of the Army through the regular military channels, but in cases which will not admit of delay the request may be sent direct. The Adjutant General will promptly submit all such requests to the Secretary of War for reference to the Department of Justice. Officers and others in the military service employing an attorney or counselor without being specially authorized to do so will be required to pay the expenses attendant upon such employment.

1014. Officers will make respectful returns, in writing, to all writs of habeas corpus served on them. When the writ is issued by a State court or judge, and the person held by the army officer is a civilian who has been apprehended under a warrant of attachment to be taken before a court-martial to testify as a witness, the officer will not produce the body, but will, by his return, set forth fully the authority by which he holds the person and allege that the State authority is without jurisdiction to issue the writ of habeas corpus, and ask to have the same dismissed. He will also exhibit to the court or officer issuing the writ of habeas corpus the warrant of attachment and the subpœna (and the proof of the service of the subpœna) on which the warrant of attachment was

based, and also a certified copy of the order convening the court-martial before which he had been commanded to take the person.

1015. Should a writ of habeas corpus issued by a State court or judge be served upon an army officer, commanding him to produce an enlisted man or military convict, and show cause for his detention, the officer will decline to produce in court the body of the person named in the writ, but will make respectful return in writing to the effect that the man is a duly enlisted soldier of the United States or a military convict under sentence of court-martial, as the case may be, and that the Supreme Court of the United States has decided that a magistrate or court of a State has no jurisdiction in such a case.

1016. A writ of habeas corpus issued by a United States court or judge will be promptly obeyed. The person alleged to be illegally restrained of his liberty will be taken before the court from which the writ has issued, and a return made setting forth the reasons for his restraint. The officer upon whom such a writ is served will at once report the fact of such service, by telegraph, directly to The Adjutant General of the Army and the commanding general of the department.

ARTICLE LXXIV.

Quartermaster's Department.

Note.—Regulations for the government of the Quartermaster's Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Quartermaster General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

GENERAL DUTIES.

1017. The Quartermaster's Department is charged with the duty of providing means of transportation of every character, either under contract or in kind, which may be needed in the movement of troops and material of war. It furnishes all public animals employed in the service of the Army, the forage consumed by them, wagons and all articles necessary for their use, and the horse equipments for the Quartermaster's Department. It furnishes clothing, camp and garrison equipage, barracks, storehouses, and other buildings; constructs and repairs roads, railways, bridges; builds and charters ships, boats, docks, and wharves needed for military purposes, and attends to all matters connected with military operations which are not expressly assigned to some other bureau of the War Department.

1018. The Quartermaster's Department transports to the place of issue and provides storehouses for the preservation of stores supplied for the Army by other departments.

1019. General depots for the collection, manufacture, and preservation of quartermaster stores, until required for distribution, are under the immediate control of the Quartermaster General.

1020. The Quartermaster General will announce from time to time the depots from which requisitions from departments for quartermaster supplies—issuable under Army Regulations—will be filled.

The commanding officer of the depots so designated will fill, as soon as possible after their receipt, all requisitions approved by competent authority.

1021. Department commanders will take final action on all requisitions for supplies furnished by the Quartermaster's Department, issuable under Army Regulations or general orders, and send them for supply to the depots designated by the Quartermater General.

1022. Requisitions for quartermaster supplies not covered by Army Regulations or general orders will be forwarded to the Quartermaster General for his action.

1023. Department commanders will take final action upon all extra issues of fuel and kerosene oil.

1024. Emergency purchases of quartermaster stores payable from appropriations for incidental expenses, army transportation, and regular supplies, not exceeding $200 in any one case, may be made under the authority of the department commander, but purchases under this authority should be avoided as much as possible by timely requisitions.

1025. Officers serving in the Quartermaster's Department will make monthly estimates for funds, unless otherwise authorized, and only for such amounts as are required for payments of accounts within the periods estimated for. Estimates will show in detail the amounts required to cover all authorized expenditures and the purposes for which needed. Quartermasters will submit their estimates to their immediate commanding officers, who, after action thereon, will forward them to the adjutant general of the department; he will refer them to the chief quartermaster, who, after consideration and revision, will consolidate and submit them to the department commander for approval; thereafter the chief quartermaster will forward them to the Quartermaster General. Quartermasters at general depots and independent posts will forward estimates of funds to the Quartermaster General directly.

BARRACKS AND QUARTERS.

1026. When buildings are about to be occupied, allotted, or vacated, an inspection of them will be made by the quartermaster, who will make and file a statement of their condition, reporting to the commanding officer any damage apparently due to carelessness or neglect. Damages will be promptly repaired if possible.

1027. Neglect by any officer or soldier to take proper care of rooms or furniture used by him is a military offense. In case of damage, such officer or soldier may be allowed to pay cost of necessary repairs if the commanding officer deem such payment sufficient. Commanding officers will report, through prescribed channels, to the War Department their proceedings in all cases under this regulation.

1028. The annual inspection of all public buildings at every post will be made prior to March 1 by the commanding officer and the quartermaster, after which the latter will prepare an annual estimate on the prescribed form, showing the nature and cost of repairs required and to be paid for out of the appropriations for the ensuing fiscal year. He will omit therefrom all repairs for which funds have been allotted or supplied for the current year.

He will also state the condition of each building and will properly enter under the indicated headings the amounts expended during the preceding year (from March 1 to March 1).

The commanding officer will carefully examine this estimate and on March 1 will forward the same with his recommendation to the department commander.

If new buildings are required, a special report will be made, stating fully the necessity therefor. This report, with the remarks of the department commander, will be forwarded to the War Department, and, if authorized, plans and specifications will be prepared in the office of the Quartermaster General.

In the spring, as soon as possible after the fires are out for the season, the quartermaster will inspect the steam, hot air, and hot water heating systems and immediately thereafter will submit estimates for the necessary repairs.

Estimates for heating, plumbing, and water supply will be made separately.

1029. As soon as practicable after the passage of the annual appropriation act for the support of the Army each department commander will be informed of the amount allotted to his department from the appropriation for repairs to barracks and quarters for the fiscal year to which the allotment pertains.

1030. The department commander will take final action upon all annual estimates for repairs to public buildings payable from appropriations for "Barracks and Quarters," made under the provisions of paragraph 1028, as limited by paragraphs 207 and 718.

He will also take final action upon special estimates payable from the same appropriation where the amount involved does not exceed $200, provided the total annual allotment for the year for that department is not exceeded; but this last authority will not apply to buildings for which a total of $500 has already been allotted during the current year for repairs. No authorization other than these will be made by the department commander for repairs except as provided for in paragraph 1033.

He will also make recommendation as to the amounts estimated for under "Regular Supplies" for repairs to hay sheds, coal sheds, ice and cold storage plants, and bakeries, but will not take final action on the same until approved by the War Department.

1031. The department commander in making allotments for repairs to the various posts in his department will specify the amount approved for each building. He will limit his action to repairs and will not take final action upon alterations or additions to buildings.

1032. As soon as possible after allotments to posts have been made by the department commander, one copy of the annual estimate will be forwarded to the Quartermaster General. It will have noted thereon the final action of the department commander as pertains to allotments under the appropriation for "Barracks and Quarters," and also his recommendations concerning estimates for repairs to buildings payable from the appropriation for "Regular Supplies."

1033. Expenditures for necessary repairs, not to exceed $200 in any one case, for the purchase of material and for the temporary employment of labor may, with the approval of the department commander, be made by the chief quartermaster of a department. Employment of labor under this authority will be only for the job, and no skilled laborer or person in trades positions will be employed for a period exceeding three months.

These expenditures will be made from funds appropriated by Congress for the fiscal year in which made under the heads of "Regular Supplies," "Transportation of the Army," and "Barracks and Quarters."

The expenditures from the appropriation for "Barracks and Quarters" authorized in this paragraph are in addition to those authorized in paragraph 1030 and will be limited to emergency repairs due to damages from fire or storm.

Report covering all such expenditures, and the necessity therefor, with the approval of the department commander, will be made to the Quartermaster General promptly at the end of each month. The Quartermaster General will, upon receipt of this report and proper estimate of funds, supply to the chief quartermaster of the department the amounts so expended.

1034. When private buildings occupied as barracks or quarters or lands occupied as encampments are vacated, the commanding officer and quartermaster will make an inspection of them, and the latter will report, through the prescribed channel, to the Quartermaster General, their condition and any injury which has resulted to them by reason of such occupancy.

1035. At each post there will be kept a book (Record Barracks and Quarters—supplied by the Quartermaster's Department) in which will be entered a record of every permanent building, under its proper numerical designation. The number originally given a building will be retained as a permanent record and will not be altered to conform to the post directory nor to any changes therein.

On the record of each building will be debited all authorizations for expenditures of any kind on that building, whether annual allotments or special, and as vouchers are paid thereunder the account will be credited therewith.

This book will be balanced annually on March 1, and the total amount expended on that building during the preceding twelve months will be reported on the annual estimate for repairs for the ensuing year.

At the close of each fiscal year unexpended balances not held by post quartermasters for authorized payments under contract will be returned to the chief quartermaster of the department, and the account with the building so credited; but no balances will be struck until March 1 of the following year.

This book will be so kept as to show at all times an accurate record of expenditures for all repairs, additions, alterations, etc., that the total cost of the building to date may at any time be determined.

1036. Permanent heavy furniture will be assigned to officers' quarters by the Quartermaster General under the direction of the Secretary of War. All articles of such furniture will be marked with the number of the quarters to which they may be assigned, will be considered a part of such quarters, and will not be removed therefrom (except for repair or storage, or when the quarters are abandoned for use as officers' quarters) without authority of the Secretary of War. A memorandum receipt will be given by an officer to whom quarters have been assigned for the furniture therein supplied by the Quartermaster's Department, and he will be responsible for its proper care and will be charged with the amount of any damage thereto other than that incident to fair wear and tear.

The quartermaster will include in the report called for by paragraph 1026 a statement of the condition of furniture placed in officers' quarters.

1037. The Quartermaster's Department will provide in all permanent barracks a box locker for each enlisted man for his uniform and extra clothing. Each man will provide his own lock.

1038. Barracks will be supplied with chairs, at a rate not exceeding one for each noncommissioned officer and one for every two of the other enlisted men quartered there. Cuspidors, with suitable mats on which to place them, will be supplied in all barracks and other buildings occupied or used by enlisted men.

1039. China and glassware belonging to mess outfits, and bunks, mattresses, pillows, benches, chairs, tables, and other articles of furniture provided for soldiers' barracks will not be removed therefrom without the order of the post commander, nor will they be removed from a post or station except by order of the War Department.

Box lockers, mattress covers, pillowcases, bed sheets, and barrack bags will be transported in all changes of station, but will not be taken into the field, except barrack bags, which may be used in the field as receptacles for the surplus kits. Previously to the execution of an order for change of station of an organization the commanding officer of the post or station will appoint a surveying officer, if possible an officer belonging to an organization other than that changing station, who will survey all china and glassware of the outgoing organization. He will render a report as to the serviceability or unserviceability of the articles surveyed, and that report, when approved by the commanding officer, will be final. All china and glassware found to be serviceable will be

turned in to the quartermaster for reissue. All china and glassware found to be unserviceable after the authorized allowance of 5 per centum a quarter on account of breakage shall have been deducted will be destroyed and the money value thereof charged against the officer who is responsible for the property.

ALLOWANCE AND ASSIGNMENT OF QUARTERS.

1040. At each post and station where there are public quarters in buildings belonging to the United States, the quartermaster, under direction of the commanding officer, will allot to each officer the quarters to which his rank entitles him.

1041. At all posts where, in the opinion of the department commander, the barracks and quarters are sufficient for the purpose, the following regulations will govern their assignment and occupation:

1. Permanent quarters will be assigned to the field and staff officers of the garrison.

2. Quarters for the captain and lieutenants of each company will be designated as appertaining to each set of barracks, having reference to convenience of location. Where bachelor quarters are provided at a military post it is proper, when necessary, that they be assigned to officers without families. The post commander's decision with respect to the necessity for such assignment will govern in each case.

3. On arrival of troops each company will be assigned by the commanding officer to appropriate vacant barracks and quarters. Quarters thus regularly assigned will not be subject to choice, but any not occupied may be chosen for temporary occupancy by an officer, in accordance with existing regulations, subject, however, to removal whenever an officer entitled to them arrives. The original assignment of quarters at any post or station will be made by a board of officers consisting of the commanding officer, the two senior line officers present, the senior surgeon, and the quartermaster. Upon the department commander's approval of the board's action, its recommendations will be carried into effect as soon as practicable, the department commander causing the assignments to take effect as changes occur in the stations of officers and troops, without removing any officer from quarters occupied by him under other existing regulations.

1042. At posts or stations where the provisions of paragraph 1041 can not be applied officers may make selection of quarters in accordance with their rank, but the commanding officer may direct that they confine their selection to buildings located near their troops. An officer may select quarters occupied by a junior, but will not displace a junior if there be quarters suitable to the rank of the senior available, with equal conveniences and accommodations. When an officer has made his choice he must abide by it, and shall not again displace a junior unless he himself is displaced by a senior. The particular rooms which constitute a set of quarters will be designated by the quartermaster, under the direction of the commanding officer. Attics are not counted as rooms. Officers will not choose rooms belonging to different sets.

1043. An officer reporting for duty at a post will, immediately upon his arrival, make written application to the commanding officer for quarters. If in command of troops, he will apply for quarters for himself, for his subordinate officers, and the enlisted men of his command. The application will be accompanied by a copy of the order directing him to report at the station, and will be referred to the quartermaster for proper action under such instructions as the commanding officer may indorse thereon.

1044. An officer will not occupy more than his proper allowance of quarters, except by permission of the commanding officer when there is an excess of

quarters at the station. The allowance will be reduced pro rata by the commanding officer when the number of officers and troops present makes it necessary. If the public buildings are inadequate, the commanding officer will apply, through the department commander, to the Secretary of War for authority to hire necessary quarters.

1045. Officers on duty without troops at stations where there are public quarters will be furnished them in kind. If insufficient, application for authority to hire quarters will be made as directed in paragraph 1044.

1046. At a military post where the headquarters of a department are or may be established the department commander may set aside quarters for the staff, but will not disturb assignments made under paragraph 1041 if it can be avoided. Quarters thus reserved will not be open to selection, but will be subject to assignment independent of choice.

1047. An officer's right to quarters is solely one of occupancy. When he and his family cease to occupy them, except in case of temporary absence, they are open to selection by, and reassignment to, some other officer on duty at the post.

1048. When assigned to duty without troops or awaiting orders for the convenience of the Government, officers will be entitled to quarters, but in no case will they be furnished with quarters at two stations at the same time.

1049. The allowance of quarters to which an officer is entitled when on duty may be continued in kind, at his proper station, during the period for which the law permits him to be absent, without reduction of pay and allowances. An officer under suspension has the same right to quarters as when on duty status, if present at the post.

1050. At a post a sufficient number of rooms may be set aside for a mess when a majority of its officers unite in a mess, but never when the officers to be accommodated are less than three in number.

1051. An officer on sick leave is entitled to public quarters at his station during the period of sick leave, not exceeding six months, provided he or his family occupy them. He may hold hired quarters only while he is personally an occupant.

FUEL AND STOVES.

1052. Each officer or noncommissioned officer entitled to and occupying public quarters, or quarters other than public which are heated by a separate plant, will be furnished at the expense of the United States with the quantity of fuel set forth in the table of allowances, paragraph 1060. This allowance may be considered accumulative within a fiscal year, and any excess of allowance appearing as overdrawn by an officer at the end of a fiscal year will be paid for at contract price. Where an officer or noncommissioned officer is occupying quarters other than public, not heated by a separate plant, or for which it is impracticable to furnish fuel in kind, the Quartermaster's Department will pay the owner or authorized agent of such quarters for the heat at a rate of $4 a cord for the fuel allowance for the number of rooms to which the rank of the officer or noncommissioned officer entitles him as set forth in the table of allowances, paragraph 1060.

1053. The Quartermaster's Department may issue or sell fuel in accordance with the preceding paragraph to contract or dental surgeons and veterinarians and to families of officers who are temporarily absent, or who are on duty abroad or in Alaska, on a written certificate of the officer that the amount of his allowance covered by the certificate will not be otherwise drawn by him. Officers on sick leave, or under sentence of suspension from duty on reduced pay when absent from their proper stations, are not entitled to this privilege. Fuel may be sold to retired officers at cost to the Government delivered, when they reside at places where it can be done conveniently.

1054. The commanding officer of a post at or near which the immediate family of a regular or volunteer soldier resides may, if the residence and other conditions of such family make it proper, grant to the head thereof permits to purchase for cash at cost prices such quantities of fuel and mineral oil as in his opinion may be reasonably needed for the sole use of the soldier's immediate family.

1055. Fuel will only be issued or sold to an officer upon his certificate that it is for his personal or family use; any sale, exchange, or transfer whatever of fuel issued or sold to an officer under this paragraph is forbidden.

1056. Merchantable oak wood is the standard; the cord is 128 cubic feet. The scale of equivalents to govern in the issue and sale of fuel will be published from time to time in general orders.

1057. An officer may draw from the Quartermaster's Department a reasonable quantity of fuel in kindling wood, which will be issued on the basis of its equivalent in oak wood.

1058. Fuel issued to officers or troops is public property. Any portion not consumed by them during the fiscal year will be reported on July 1, or as soon thereafter as possible, to the quartermaster and will be taken up on his return.

1059. Fuel will be issued only in the month when due. The cheapest fuel at the place of issue will, all things considered, be furnished.

1060. The following table shows the number of rooms, the quantity of fuel, and the allowance of cooking and heating stoves to be supplied for the use of officers and men in quarters and barracks:

	Rooms.		Cords of wood per month.		Increased allowance from September 1 to April 30.		For quarters.		For office.
	As quarters.	As office.	May 1 to August 31. Tropics, year round.[1]	September 1 to April 30.	Between 36th and 43d degrees N. latitude, one-fourth.	North of 43d degree, one-third.	Heating stoves.	Cooking stoves or ranges.	Heating stoves.
Lieutenant general	10	....	1½	6½	1⅝	2⅙	9	1	.....
Major general or officer of higher rank occupying 9 rooms as quarters	9	....	1½	6	1½	2	8	1	.....
Brigadier general or officer of higher rank occupying 8 rooms as quarters	8	....	1½	5½	1⅜	1⅝	7	1	.....
Colonel or officer of higher rank occupying 7 rooms as quarters	7	....	1½	5	1¼	1⅔	6	1	.....
Lieutenant colonel or officer of higher rank occupying 6 rooms as quarters	6	....	1½	4½	1⅛	1½	5	1	.....
Major or officer of higher rank occupying 5 rooms as quarters	5	....	1½	4	1	1⅓	4	1	.....
Captain or officer of higher rank occupying 4 rooms as quarters	4	....	1½	3½	⅞	1⅛	3	1	.....
First lieutenant or officer of higher rank occupying 3 rooms as quarters	3	....	1	3	¾	1	2	1	.....
Second lieutenant or officer of higher rank occupying 2 rooms as quarters	2	....	1	2½	⅝	⅚	1	1	.....
Officer of any rank occupying 1 room as quarters	1	....	1	1½	1⅛	1½	1	.....	.....
The Chief of Staff of the Army	....	3	....	3	2¼	1	.....	.....	3
The commanding general of a territorial division or department	....	2	....	2	½	⅔	.....	.....	2
An assistant to the Chief of Staff of the Army, the aids to the commanding general of a territorial division or department, and the general staff officers serving thereat	....	1	....	1	¼	⅓	.....	.....	1

[1] The allowance of fuel for officers and enlisted men in the Philippines Division for each month in the year will be that now fixed for each month between May 1 and August 31.

	Rooms.		Cords of wood per month.		Increased allowance from September 1 to April 30.		For quarters.		For office.
	As quarters.	As office.	May 1 to August 31. Tropics, year round.[1]	September 1 to April 30.	Between 36th and 43d degrees N. latitude, one-fourth.	North of 43d degree, one-third.	Heating stoves.	Cooking stoves or ranges.	Heating stoves.
An assistant or deputy quartermaster general, an assistant commissary general, an assistant surgeon general, the assistant and deputy paymaster general, and the chief quartermaster and chief commissary at the headquarters of a territorial division or department, each		2		2	½	⅔			2
The commanding officer of a regiment, post, or battalion of engineers or field artillery, a paymaster, quartermaster, commissary, and adjutant, each		1		1	¼	⅓			1
An adjutant general, an inspector general, an acting inspector general, an engineer,[2] an ordnance officer,[2] a signal officer, a judge advocate or an acting judge advocate, and the senior medical officer, when stationed on duty at any place not in the field,[2] each		1		1	¼	⅓			1
Noncommissioned officers above grade number 16, paragraph 9, principal musicians, chief trumpeters, and firemen, Coast Artillery Corps, each	1		½	1	¼	⅓	1		
Noncommissioned officers below grade 15, paragraph 9, and privates, when on detached service or assigned to special duty of such a nature as to necessitate the hiring or leasing of quarters, each	1		½	1	¼	⅓	1		
Superintendent national cemetery			½	1	¼	⅓		1	
Each noncommissioned officer, musician, private, and hospital matron			1/12	1/6	1/24	1/18			
Each necessary fire for the sick in hospital, each dispensary and hospital mess room at a military post or station, to be regulated by the surgeon and commanding officer, not exceeding			½	2	½	⅔	1		
For general hospitals, when necessary, not exceeding, for each bed			1/12	1/6	1/24	1/18			
Each guard fire, to be regulated by the commanding officer, not exceeding				3	¾	1	1		
Each necessary fire for military courts or boards, at a rate not exceeding				2	½	⅔	1		
Storehouse of a commissary and quartermaster, when necessary, not exceeding for each				1	¼	⅓	1		
Each employee of the Quartermaster's, Subsistence, or Medical Department to whom subsistence in kind is issued by the Government			1/12	1/6	1/24	1/18			
For library, reading room, schoolroom, chapel, and gymnasium, 1 heating stove for each, and when the garrison exceeds 150 enlisted men, 2 heating stoves, and such quantity of fuel for the same as may be certified to as necessary by the officers in charge and approved by the commanding officer									
For a company: 2 large stoves in dormitory, 1 large stove in each mess room and day room, 1 small stove for each of the two rooms for noncommissioned officers, 1 small stove for the library, and 1 cooking stove or range sufficient to cook its food									
Each hospital kitchen								1	
For each authorized room as quarters for civilian employees							1		
For each six civilian employees to whom fuel is allowed							1		
For mess of civilian employees								1	
For telegraph office							1		
For each blacksmith, carpenter, and saddler shop							1		
For a bakery and post exchange such quantity of fuel for the same as may be certified to as necessary by the officers in charge and approved by the commanding officer									

[1] The allowance of fuel for officers and enlisted men in the Philippines Division for each month in the year will be that now fixed for each month between May 1 and August 31.

[2] Except at Military Academy.

When buildings, except officers' and noncommissioned officers' quarters, for which fuel is furnished by the Quartermaster's Department, are heated by steam by separate plants, they will be allowed per month for each foot of direct radiating surface, from September 1 to April 30, $\frac{1}{14}$ cord of wood and for each foot of direct-indirect radiating surface $\frac{1}{113}$ cord of wood; between thirty-sixth and forty-third degrees north latitude, one-fourth increase; north of forty-third degree north latitude one-third increase. Buildings heated by hot water will be allowed two-thirds of the steam allowance.

1061. When on detached service, or assigned to special duty in places where there are no public quarters available, the allowance of quarters for each member of the Nurse Corps is fixed at two rooms, to be provided by the Quartermaster's Department, with allowances of fuel and stoves not to exceed those prescribed in paragraph 1060, and of light not to exceed the quantities prescribed in paragraphs 1070 and 1073.

When on duty in hospitals, or where nurses' buildings have been provided, such quarters as may be available will be provided for the use of members of the Nurse Corps, in which case heat and light will be supplied as may be necessary, to be regulated by the surgeon and the commanding officer. The allowances for the Superintendent of the Nurse Corps when on duty are the same as those prescribed for members of the Nurse Corps.

1062. In addition to the number prescribed in the table, paragraph 1060, the headquarters of a territorial division or department will be allowed such number of office rooms (not more than eight) as may be necessary for clerks on duty thereat (the Quartermaster's and Subsistence Departments excepted), which will be assigned by the commanding general. A heating stove for each room not otherwise heated will also be allowed. Office rooms will not be hired without the written authority of the Secretary of War, and no lease of such rooms will take effect until approved by him.

1063. The officers of the Quartermaster's and Subsistence Departments may, when necessary, be allowed additional office rooms, with a heating stove for each, not to exceed three in the former and two in the latter-named department. The number of additional rooms so allowed will be regulated by the Quartermaster General.

1064. Stoves will not be issued to officers who receive commutation of quarters.

1065. If at a military post, situated between the thirty-sixth and forty-third degrees of latitude, the mean temperature for twenty days of any calendar month is not above 20° F., an increase of fuel of one-third instead of one-fourth, as shown in the table, will be allowed. If the temperature is not above 10° F., an increase of one-half will be allowed, whatever the latitude of the place. The certificate of the post surgeon as to the mean temperature and the order of the post commander for the issue will be filed with the abstract of issues.

ILLUMINATING SUPPLIES.

1066. The Quartermaster's Department will provide supplies for interior and exterior illumination. The necessary lights will be supplied for all buildings for which fuel is supplied.

1067. The number of lights, exterior and interior, and the hours during which they may be used at a post commanded by a general officer will be fixed and announced by the post commander; at other posts, by the commanding officer, with the approval of the department commander. The number of such lights must be limited to the smallest number for proper lighting, and the period

of authorized burning of each light must be limited to the necessities of the case.

1068. If candle lanterns are used in stables, the candles will be issued by the Subsistence Department in such quantity as the commanding officer shall order as necessary. If oil lanterns are used, the issue of oil, wicks, and chimneys therefor will be made by the Quartermaster's Department.

1069. Mineral oil will be supplied for lamps and oil lanterns and issued in quantities as follows: For lamps used for exterior and interior illumination at the rate, per burner, of 4 ounces avoirdupois for each hour of authorized illumination for lamps using wicks of about 1½ inches in diameter, 3 ounces per hour for lamps using wicks of about 1 inch in diameter, and 2 ounces per hour for lamps with smaller wicks. For all oil lanterns, such quantities as the commanding officer may order and certify as necessary. No volatile oils, except those authorized and supplied by the supply departments, will be used at military posts without the authority of the commanding general of the department in which the post is located.

1070. Where quarters are lighted by mineral oil, the Quartermaster's Department will allow to each officer and to each noncommissioned officer entitled to and occupying separate quarters one lamp for each authorized room. For each lamp one wick and one chimney a quarter will be allowed. From September 1 to April 30, 4 gallons of mineral oil a month will be allowed for each authorized room. From May 1 to August 31, 3 gallons of mineral oil a month for each authorized room will be allowed. The oil allowance may be considered accumulative within the fiscal year, and any excess of allowance appearing as overdrawn by an officer at the end of a fiscal year will be paid for at contract price. An officer occupying as quarters a number of rooms less than his authorized allowance will be entitled to mineral oil for such number of rooms only as he actually occupies. Officers of the Army, contract and dental surgeons, and veterinarians may buy from the Quartermaster's Department, at contract prices, such moderate quantity of mineral oil, lamps, wicks, and chimneys as they may need in the rooms occupied by themselves and families as quarters, in excess of the allowances set forth herein.

1071. Civilians employed with the Army at remote posts or stations, where it is impossible to procure at reasonable rates such articles of clothing and other quartermaster's supplies (except uniforms) as they may need for their health and comfort, may be allowed to purchase same from the Quartermaster's Department in limited quantities for their own use, for cash at cost prices, with 10 per centum added to cover transportation. Such sales will, however, be made only upon the written approval of the commanding officer setting forth the necessity for such action, this authority to be filed with the return of the officer making such sales.

1072. Mineral oil issued to officers or troops is public property and will be treated as provided in paragraph 1058 for fuel.

1073. Each officer or noncommissioned officer entitled to and occupying public quarters or quarters other than public where gas, acetylene, or electricity is installed, will be allowed, at the expense of the United States, for each room to which his rank entitles him, for the period between September 1 and April 30, 1,500 cubic feet of gas, or 150 cubic feet of acetylene, or 20,000 watt hours of electric current a month, and from May 1 to August 31, 900 cubic feet of gas, or 90 cubic feet of acetylene, or 12,000 watt hours of electric current a month, which allowances may be considered accumulative within a fiscal year, and any excess of allowance appearing as overdrawn by an officer at the end of a fiscal year will be paid for at contract price.

Where an officer or noncommissioned officer occupies quarters other than public, the lighting of which is measured by separate meter readings, the Quartermaster's Department will make settlement with the owner or authorized agent of the quarters, or agent of the company supplying the light, for the actual quantity of gas, acetylene, or electric current supplied, and if the prescribed allowance is exceeded at the end of the fiscal year such excess will be paid for to the quartermaster by the responsible officer or noncommissioned officer.

Where an officer or noncommissioned officer occupies quarters other than public, which are lighted by gas, acetylene, or electricity, and the quantity supplied is not measured by separate meter readings, the Quartermaster's Department will make settlement with the owner or authorized agent for light for the number of rooms to which the rank of the officer or noncommissioned officer entitles him, in accordance with the prescribed allowance, at the following rates: For electricity, 6 cents a kilowatt hour; for gas, 80 cents a 1,000 cubic feet; for acetylene gas, $8 a 1,000 cubic feet.

At posts where electric current is furnished from a Government plant, the charge for excess current will be at the rate of 10 cents a 1,000 watt hours. At posts where gas is furnished from a Government plant, the charge for the excess will be at the actual cost of manufacture. At posts where gas or electric current is obtained from a local company, the charge for the excess will be at the contract price.

The Quartermaster's Department may furnish light in accordance with the foregoing provisions of this paragraph to contract or dental surgeons and veterinarians, and to families of officers who are temporarily absent or who are on duty abroad or in Alaska, on a written certificate of the officer that the amount of his allowance covered by the certificate will not be otherwise drawn by him. Officers on sick leave, or under sentence of suspension from duty on reduced pay, when absent from their proper stations, are not entitled to this privilege. Light may be furnished to retired officers at cost to the Government delivered when they reside at places where it can be done conveniently.

1074. In order to measure the amount of gas or electric current consumed, each noncommissioned staff quarters will be provided with proper meter, the key of which will be kept in possession of the quartermaster.

1075. Each officer's quarters will be provided with a meter.

The cost of installation and maintenance of electric lights, gas fixtures, or mineral oil lamps in officers' and noncommissioned officers' quarters, as in other public buildings at posts, will be borne by the Quartermaster's Department.

1076. At each post supplied with a fortification electric plant sufficiently large for supplying necessary current for lighting buildings and grounds, the plant may be used for that purpose by the Quartermaster's Department when authorized by the Chief of Engineers, provided that the needs of defense shall have precedence over post lighting or power supply in any case in which both uses are simultaneously desired.

For this purpose, when funds that are applicable can be spared, the Engineer Department will construct necessary conduits, service wires, etc., to deliver the current to the various buildings and to exterior lights, and the Quartermaster's Department will wire the buildings, furnish meters for officers' and noncommissioned officers' quarters, exterior lamps, etc., and will, in addition to the fuel, material, etc., required to be furnished by it to all fortification electric plants, supply for such plants as may be used for post lighting all material and funds necessary for their repair and preservation.

1077. The allowances of lamps and mineral oil are prohibited for buildings and grounds where gas or electric light is installed.

STATIONERY.

1078. The issue of stationery for all military purposes shall be made on requisition approved by the commanding officer. The material to be issued shall consist of typewriter supplies, writing and blotting paper, pads, pens, penholders, ink, mucilage, sealing wax, office tape, envelopes, and lead pencils. Officers approving requisitions will enforce economy in the use of stationery. But 1 issue a quarter will be made to officers not drawing for an office. For each issue the quartermaster will require 2 copies of the approved requisition receipted by the officer to whom the issue is made. These issues, as soon as made, will be entered upon the return, and 1 copy of the approved requisition will be forwarded to the Quartermaster General with the return, as a voucher thereto.

1079. To each office desk or table is allowed 1 inkstand, 1 paper folder, 1 ruler, 1 steel eraser, and 1 piece of india rubber. A company commander is entitled to this allowance. Officers when relieved will transfer office stationery to their successors.

1080. The Quartermaster's Department is authorized to issue yearly to retired officers, upon proper requisition, 6 quires of writing paper, 100 official envelopes, and 50 letter envelopes.

1081. The yearly allowance of stationery to a post noncommissioned staff officer on duty at a post not garrisoned by troops is 2 quires of writing paper, letter size; 4 sheets of blotting paper; 100 envelopes, official size; 1 dozen steel pens; 2 penholders; 1 pint bottle of black ink; 1 small bottle of mucilage with brush; 1 inkstand, and 1 piece of office tape.

PURCHASE OF PUBLIC ANIMALS.

1082. The purchase of public animals will be made by the Quartermaster's Department after their inspection by that department, and, unless otherwise directed by the Secretary of War, by contract after due competition.

1083. Public animals shall, upon the day received, be branded with the letters "U. S." on the left fore shoulder. Horses assigned to organizations will also be branded on the hoof of one forefoot, 1½ inches below the coronet, with the designation of the company. Branding irons of uniform size and design will be supplied by the Quartermaster's Department. Letters "U. S." to be 2 inches in height. Letters and numbers of hoof brands on the same line, to be three-fourths of an inch high, the letter to precede the number, and blocked so as to penetrate the hoof one-sixteenth of an inch. For example, the hoof brands on horses assigned to Band, Ninth Cavalry, would be CB9; to Troop A, Fifth Cavalry would be A5; to the Band, Second Regiment, Field Artillery, AB2; to Battery B, Fourth Regiment, Field Artillery, would be, BA4; to Company A, Battalion of Engineers, would be, BEA.

1084. Any alteration in the length or shape of the tails, manes, or forelocks of public horses by docking, banging, or clipping is prohibited, and only such reasonable trimming and plucking as may be necessary to prevent shagginess of appearance is permitted.

1085. A complete descriptive list of each animal will be made at the time of purchase, and will accompany him wherever he may be transferred.

1086. A file of descriptive cards of public animals will be kept with the records of every officer accountable for public animals. It will contain a description of every animal received, showing the kind, name, age, size, color, marks, brands, or other peculiarities of the animal, how and when acquired, the use to which applied, and what disposition, if any, was made of the animal.

1087. When public animals are issued or transferred, the person in charge of them will be provided with full and accurate descriptive cards, which he will deliver to the receiving officer.

1088. Public animals will be assigned to their riders or drivers, who will not exchange or surrender them to the use of any other person without the permission of the company commander, quartermaster, or other officer responsible.

1089. Public animals inspected and found unsuited for one branch of the service may be transferred to another for which they are fitted. When of no further use for any branch of the service they will be submitted to an inspector and if condemned sold at public auction or destroyed under the following circumstances: (1) To terminate suffering (from disease or other cause); (2) to prevent contagion; (3) on account of incurable disease or injury; (4) on account of old age, when to sell them for work in the hands of irresponsible persons would be cruel and cause suffering to the animals.

Horses assigned to troops of cavalry, batteries of artillery, companies of the Signal Corps, and mules assigned to the combat transportation of the Signal Corps, will not be sold or turned in to the Quartermaster's Department unless previously acted upon by an inspector, except in the Philippines Division, where the sale of such horses may be made to mounted officers, as provided in paragraph 1111.

Public animals that die of sickness, or that it is necessary to kill because of contagious disease, or when incurably wounded, will be dropped by the accountable officer upon the certificate of the responsible officer and affidavit of the veterinarian, or, in the absence of the latter, the certificate of a disinterested officer and the affidavit of a disinterested person, approved by the commanding officer. In such case the action of a surveying officer is not required, unless it appears that the condition of the animal resulted from fault or neglect; and in such case the investigation by the surveying officer may follow the killing of the animal when its immediate destruction is made necessary to prevent contagion or to terminate suffering.

VETERINARY MEDICINES.

1090. Veterinary instruments, books, medicines, and supplies for the treatment of public animals and authorized private horses of mounted officers are furnished by the Quartermaster's Department. The supply table furnished by the Quartermaster's Department gives a list of the articles supplied. Requisitions will be limited to actual necessities. A special estimate for articles not in the table, with an explanation of the nature of the emergency or case rendering it necessary, will be forwarded, through the regular channel, for the action of the Quartermaster General.

1091. The quartermaster will have charge of veterinary instruments, books, medicines, and supplies, and under the direction of the commanding officer will issue and expend such medicines and supplies in such quantities as may be necessary.

1092. At posts where there is a veterinary surgeon the quartermaster may, under the direction of the commanding officer, transfer to the veterinary surgeon upon memorandum receipts such veterinary instruments, books, medicines, and supplies as may be necessary; otherwise they will remain in the custody of the quartermaster, and will be loaned as needed in the public service.

FORAGE AND STRAW.

1093. The forage ration for a horse is 14 pounds of hay and 12 pounds of oats, corn, or barley; for a mule, 14 pounds of hay and 9 pounds of oats, corn, or barley. To each animal 3 pounds of bran may be issued in lieu of that quantity of grain. Department commanders will reduce the forage ration when necessary.

1094. Where grazing is practicable, or when little labor is required, commanding officers will order a judicious reduction of the forage ration.

1095. Forage will be issued only during the month when due.

1096. Forage is furnished to the authorized allowance of horses of mounted officers actually owned and kept by them in the performance of their official duties, either when on duty at stations, at posts, or in the field. When on leave of absence or on duty the nature of which necessitates the temporary separation of the officer and his mounts, forage may be furnished for four months or such additional period as may be approved by the Secretary of War. Forage is furnished to the following number of horses: Of a lieutenant general, 4; of a major general or a brigadier general, 3; of all other mounted officers, each 2.

1097. Mounted officers will not use public horses and at the same time draw forage for those they own, except while on foreign service in countries from which horses are not allowed to enter the United States; nor will they use public animals except as authorized by regulations. Should circumstances render it necessary, an officer may be temporarily furnished with public horses.

1098. An officer may purchase forage for two horses kept for his own use, for which he will be charged cost, including transportation. This privilege may be extended to retired officers, provided such sales are limited to quartermaster's depots or stations at which contracts for supply of forage are made and the deliveries under said contracts are in sufficient quantities to warrant the sale without detriment to the service, but no contracts shall be made for the sole purpose of procuring forage for sale to retired officers.

1099. An officer shall not sell, nor allow to be sold, the forage issued for his own horses or the public animals under his charge; nor shall he use or dispose of, or permit to be used or disposed of, such forage, or any portion thereof, except for the purpose for which it was issued. Forage issued for a particular period and unconsumed during the period will be taken up and properly accounted for.

1100. When mattresses are not supplied, a bed sack and 30 pounds of straw a month for bedding will be furnished to each enlisted man in barracks or in a permanent or a maneuver camp, and to each prisoner in a guard house, and a bed sack and such quantity of straw as the chief medical officer may certify to be necessary to each enlisted man in a field hospital. In the field, in cases not covered above, such quantity of straw or hay for the bedding of troops is authorized as the commanding officer, after advising with the medical officer of the command, may deem necessary to preserve the health of the troops. So far as practicable, an iron bunk will be furnished to each prisoner in a post guardhouse and prison room.

1101. One hundred pounds of straw per month is allowed for bedding to each horse or mule in public service. At posts where straw is not furnished hay will be issued and used for bedding.

CARE AND ACCOUNTABILITY FOR PROPERTY.

1102. Unless otherwise specially directed by the Secretary of War there will be at each military post or station but one accountable officer in the Quartermaster's Department, and he will account for all quartermaster's supplies there in use or in store.

1103. When troops are assembled for field service, there will be but one accountable officer in the Quartermaster's Department for each regiment, separate battalion, or squadron, and he will account for all quartermaster's supplies in the possession of the command of which he is quartermaster.

1104. At places requiring the services of more than one quartermaster, each one charged with the care and disposition of quartermaster's supplies will account for the same.

1105. Officers commanding companies or detachments will be furnished by the quartermaster, on approved requisition, with the necessary authorized quartermaster's supplies; and for all such, except those that may be properly dropped as expended, said commanding officers will give memorandum receipts to the accountable officer, who will continue to bear said supplies on his return until they have been transferred, expended, or otherwise disposed of and duly accounted for as required by regulations.

1106. Officers commanding companies or detachments temporarily absent from posts will continue responsible to quartermasters from whom supplies have been procured on memorandum receipts. Should the services of a quartermaster become necessary, one will be appointed for the command.

1107. When troops change station, only such quartermaster's supplies as are authorized, or as may be directed to be transferred, will be removed from the station. Company and detachment commanders, prior to departure from a station, will have a settlement with the quartermaster for supplies held on memorandum receipt. For such supplies as must accompany troops company and detachment commanders will give certificates to the quartermaster. Memorandum receipts that have been thus satisfied will be returned to the respective company and detachment commanders. The quartermaster will forward the certificates, accompanied by the requisite papers for transferring the accountability, to the quartermaster at the destination of the troops. The commanders of incoming organizations upon arrival will report the supplies in their custody and give memorandum receipts therefor to the quartermaster, who will then return to the respective commanders their certificates.

1108. Certificates given for supplies accompanying troops and memorandum receipts given by officers for supplies issued or loaned for their individual use, or for use of the organizations under their command, will be made in the prescribed form, and should any officer, when called upon by proper authority to produce any of the supplies enumerated therein, fail to do so, or to furnish proper evidence that deficient or damaged supplies have been accounted for as required by regulations, the name of the officer delinquent will be reported to the Secretary of War by the Quartermaster General, and said officer's pay to the extent of the deficiency or damage will be stopped, in conformity with paragraphs 713 and 714. The accountable officer may drop from his return the articles deficient, forwarding the memorandum receipt or certificate as a voucher therefor.

1109. A forage master or wagon master shall not be concerned, directly or indirectly, in any means of transport employed by the United States, or in the purchase or sale of any property procured for or belonging to the United States, except as agent for the Government.

1110. Every officer accountable for quartermaster's supplies will keep himself accurately informed, by personal examination, of the quantities and condition of the property on hand, and will be held strictly responsible that they are correctly reported on his returns. The commanding officer will see that a complete, detailed, and accurate inventory of such property, except that held on memorandum receipts, is taken by the accountable officer in person at least once each year, and as much oftener as he may deem necessary for the interests of the Government. At each transfer of such property both the invoicing and receipting officer will attend in person, and each will satisfy himself, by personal count and examination, that all property invoiced is on hand and in

condition as stated in the invoices. When loss, damage, or deficiency is discovered upon taking any of these inventories, a surveying officer will at once investigate and ascertain the cause thereof, which he will report with his conclusions as to the responsibility for the same.

HORSES OF MOUNTED OFFICERS.

1111. In the field, at posts, or in active service, except in the Philippine Islands, horses held in the Quartermaster's Department unassigned may be sold to mounted officers on authority from the Secretary of War. The price to be paid for a horse purchased by an officer will be the price paid by the Government for the horse. Purchase and payment will be completed within thirty days from the date of receipt of the authority for the sale and the purchase money at once deposited to the credit of the current appropriation. Horses thus sold will not be exchanged or returned.

When a mounted officer is ordered to duty beyond the seas or to make a change of station in the United States, in which the cost of transportation for the private horses which he is required to keep exceeds $100 for each horse, including the cost of attendant, if any, the Quartermaster's Department may, upon the request of such officer, purchase such private horse or horses as he may not desire to take with him upon the following conditions: An officer desiring to dispose of his horse will request the necessary authority from the department commander, who will convene a board to be composed of not less than three commissioned officers to examine the animal with a view to determining its fitness for service or for sale to an officer, and if it be found serviceable to appraise its value; the price found by the board shall not exceed the average contract price for cavalry horses during the fiscal year preceding the appraisal. The proceedings of the board, when approved by the department commander, will be returned to the applicant and will authorize the payment of the appraised price upon the delivery of the animal to an officer of the Quartermaster's Department, who will be designated by the department commander to receive it. The purchase of a horse made under the authority conferred herein will be reported to the Quartermaster General by the chief quartermaster of the department in which the purchase is made.

Horses belonging to troops of cavalry or batteries of field artillery in the Philippine Islands may be purchased by mounted officers at cost price to the Government, on authority of the commanding general, Philippines Division, provided that they can be spared; and provided further, that when a mounted officer on duty in the Philippine Islands purchases a horse under the regulations referred to he shall not be permitted to sell him to private parties, but may sell him to another officer at a price agreed upon between seller and buyer, or back to the Government, at a price to be determined in the manner indicated above in the case when a mounted officer is ordered to duty beyond the seas, or to make a change of station in the United States; this rule to govern subsequent owners.

If, however, the board should find that a horse purchased from the Government by a mounted officer, and offered for sale by him in consequence of a change of station back to the United States, is no longer fit for an officer's mount, or for the military service, the owner may dispose of the horse at private sale.

1112. For their own headquarters and otherwise, except as provided in this paragraph, the use of public horses by officers will be regulated by department commanders in conformity with the necessities of the public service.

Officers below the rank of major who are required to be mounted will be furnished with one mount by the Quartermaster's Department in case they do not elect to provide themselves with suitable private mounts. Such public mounts will ordinarily be assigned one to the exclusive use of each officer and will be foraged, stabled, shod, groomed, fed, watered, and furnished with veterinary treatment and medicine at Government expense. Authorized private mounts of officers will similarly at Government expense be stabled, shod, foraged, and supplied with veterinary treatment and medicine. Should the circumstances of service at a particular station cause the number of Government mounts available for use under this paragraph to fall below the number of officers entitled to such mount under the law, the post commander will regulate the use of the public mounts actually on hand with due consideration for the service and the rights and duties of the individual officers concerned.

1113. The Quartermaster's Department will provide and issue horse and mule shoes, nails, smith's tools, and materials required for the service, except the forges and tools for field service of cavalry, field artillery, and machine-gun platoons. The animals of a troop of cavalry or battery of field artillery will be shod by the organization.

1114. The Quartermaster's Department will transport for officers changing station, and for graduates of the Military Academy assigned to mounted organizations upon first assignment to station, the number of horses for which they are legally entitled to forage, and an attendant to accompany the horses when necessary, subject to the following restrictions:

1. That the expense to the United States shall not exceed $100 for each horse transported. The entire cost of such shipment may be paid by the Quartermaster's Department, but if the entire cost exceeds $100 for each horse, including transportation of attendant, if any, the excess must be refunded to the Quartermaster's Department by the owner. The expenses of the attendant other than his transportation will not be paid by the Quartermaster's Department.

2. That the horses are owned by the officer and are intended to be used by him at his new station in the public service.

3. The horses of retired officers or officers ordered to their homes to await retirement, or of officers effecting a voluntary transfer, will not be transported at public expense.

4. When horses are purchased by officers at points other than their station the Quartermaster's Department will transport them from points of purchase to the station of the officer, provided the cost of shipment from point of purchase to new station does not exceed the cost of shipment from the old to new station on last change of station, and provided the officer has not had his authorized private mounts shipped from his old to his new station.

5. Officers ordered for extended service over the seas or to Alaska, if they so desire, may have their authorized mounts transported from their old stations to any designated point in the United States for safe-keeping, and upon their return transported to their new stations in the United States.

MILITARY ATTACHÉS.

1115. An officer of the Army serving as military attaché abroad will be entitled to the following allowances: A suitably furnished office when needed, or an unfurnished room with one desk or table, six chairs, one book or file case, the articles allowed for an office desk by regulations, and the stationery required in the performance of public duty, to be furnished by the Quartermaster's Department, and in either case the regulation allowance of fuel for one office fire. Mounted officers will be allowed forage if horses are actually kept, and officers not mounted, or mounted officers not drawing forage, the hire

of a horse when necessary for mounted duty. Necessary funds for these allowances and blank forms for reports and returns will be procured by requisition on the Quartermaster General. Money accounts will be rendered quarterly. Items for necessary cost of exchange will be entered on accounts current, the entries of each being supported by the certificate of the officer that current rates of exchange were paid and that other vouchers are not obtainable.

TRANSPORTATION—GENERAL PROVISIONS.

1116. For wagon and pack transportation mules will generally be employed, but horses may be used for saddle purposes by wagon masters, messengers, expressmen, and employees or enlisted men having similar occupation which require them to be mounted. For draft purposes, except at depots or posts in or near large cities where little transportation is needed, horses will not be used, unless specially authorized by the War Department.

1117. The allotment of draft and pack animals to each military department will be made by the Quartermaster General under the direction of the Secretary of War.

1118. The allowance of spring wagons, exclusive of the prescribed ambulance for the sick, is fixed at one to each post, except when otherwise authorized by the War Department. All four-wheeled passenger wagons (except ambulances) having springs under the body shall be considered spring wagons.

1119. Spring wagons will be used only by direction of commanding officers and for the purpose for which they are supplied, viz, for the transportation of officers and enlisted men traveling on duty when other means are not available.

1120. The Quartermaster's Department will provide the necessary ambulances for transporting the sick and wounded upon the requisition of the proper medical officer.

1121. All means of public transportation at a post will be accounted for by the quartermaster, and will be under his charge except as provided in paragraph 1450. Commanding officers will cause mounted organizations to be provided daily with the proper facilities for policing stables and hauling forage.

1122. Commanding officers will give timely notice to the proper officers of the Quartermaster's Department of all contemplated movements of troops and supplies, that proper and sufficient transportation may be in readiness.

1123. The duty of furnishing transportation at any post, station, or depot will be intrusted to one officer of the Quartermaster's Department, on whom requisitions will be made therefor.

1124. The Quartermaster's Department of the Army is charged with the transportation of troops and supplies between the United States and such oversea garrisons and military commands as shall be authorized. Those officers and employees who are detailed to carry out the work constitute the Army Transport Service. All necessary expenses incident to that service will be paid from the appropriations made for the support of the Army. The Army Transport Service is governed by special regulations promulgated by the Secretary of War.

TRANSPORTATION OF PERSONS.

1125. When troops are moved, suitable transportation will be provided; proper orders and an exact return of the command will be furnished to the quartermaster who is to provide the same.

1126. A person requiring transportation will exhibit an order from competent authority. The quartermaster will indorse on the original order, over his signature, the fact that transportation has been provided, its kind, the places

from and to which it has been furnished, and the number of pounds of extra baggage transported, if any. The original order will be retained by the person who receives the transportation, and, in case of a soldier entitled to commutation of rations while traveling, will be disposed of as directed in paragraph 1254. When a quartermaster furnishes transportation, under the provisions of paragraph 110, to a soldier on furlough, he will report the actual or probable cost thereof to the company commander and will enter on the furlough a statement that the transportation has been furnished. The officer paying the account will notify the company commander of the actual amount paid and the date of payment.

1127. When transportation is furnished for the entire journey, the route, if not designated in the order, will be determined by the Quartermaster's Department, in accordance with existing rules.

1128. A quartermaster who provides the transportation for troops will notify, by mail or telegraph, the quartermasters at places where changes of route are to be made, or means of transportation are to be changed, of the day on which the troops will start, their route, destination, the number of officers, enlisted men, and animals, and the quantity of public property and baggage for which transportation will be required.

1129. The quartermaster who provides the transportation, or a duly authorized representative, will be present at the embarkation of the troops, and will see that the accommodations contracted for have been provided. A similar course will be pursued, where practicable, at places where changes of route or important connections are to be made. If delay is necessary in either case in order to complete the arrangements for transportation, the commanding officer of the troops will be duly notified.

1130. The Quartermaster's Department will furnish transportation to accepted applicants for enlistment from general recruiting stations to designated recruiting depots (including recruit depot posts) and return transportation to such of these applicants as are rejected on final examination.

TRANSPORTATION REQUESTS.

1131. A request for transportation issued by a quartermaster should set forth date and place of issue; time for which it will be valid; name of company required to furnish transportation; name of the person, or of the one in charge of the party to be transported, with number thereof; pounds of extra baggage, if any; organization to which the person belongs, if an officer or enlisted man; the places of original departure and ultimate destination, with the initial letters of each road or line to be used on the journey.

1132. Requests should be properly receipted by the party named therein, and tickets procured before commencing the journey, as conductors are not authorized to accept transportation requests. If more than one person is to be transported, the officer or person in charge of the party, in filling the receipt, will state the number of the persons and pounds of extra baggage carried, and the class and description of transportation furnished. In no case will a receipt be given for transportation of more persons or extra baggage than the request calls for.

1133. The blank receipt at the bottom of the request will be filled in ink, and if the person receipting can not write his name he will make his mark, which will be witnessed. Names and places will be written in full. If the transportation is furnished by other than passenger train or in other than passenger cars, the fact will be stated in the receipt.

1134. No portion of a request above the signature of the issuing officer will be changed in any particular. If explanations are required, they will be made on the back of the request.

1135. All unused tickets or parts of tickets procured on a transportation request will be returned to the officer who issued them, and by him forwarded to the officer who pays the account for the service. The value of such ticket or parts of tickets will be deducted from any money due or to become due the company for transportation over whose line they were obtained. On the collection of the value of such unused tickets they will be returned to the company by which they were issued.

1136. When transportation to any given point and return is required, the request for return transportation should be obtained at the destination, provided it can be there procured, except in cases where round-trip tickets can be obtained at reduced rates and made available for the journey; otherwise the quartermaster will issue two sets of requests, one to the place of destination, the other for return transportation.

1137. An officer drawing mileage is entitled to free transportation for 150 pounds of baggage. If his ticket does not cover the full 150 pounds, the Quartermaster's Department will furnish transportation for the difference as excess baggage.

1138. When an officer travels under orders by a route over which less than 150 pounds of baggage for each passenger is transported free, and transportation is furnished to the officer by the Quartermaster's Department, the transportation request will state the amount of excess baggage to be paid for by the Government, this excess being the difference between the amount carried free and 150 pounds, the amount the officer is entitled to take.

When an officer under orders for temporary duty or permanent change of station certifies that it is necessary for his field allowance of baggage to accompany him in addition to the amount carried by his ticket, the Quartermaster's Department will furnish transportation for the same as excess baggage. The allowance authorized in this paragraph, together with the quantity of baggage transported by ordinary freight, will in no instance exceed the allowance provided by paragraph 1151. Transportation for 250 pounds of baggage, including 150 pounds usually carried free by railroads, is authorized for army nurses when they join for duty under the first order, upon permanent change of station, and on return to their homes upon annulment of contract.

Receipts covering an excess of baggage will contain certificates as to whether transportation for such excess has been furnished.

1139. For enlisted men and applicants for enlistment traveling under orders without troops, each ticket furnished by the Quartermaster's Department will usually cover 150 pounds of baggage free. Where this is not the case, as on stage lines, the Quartermaster's Department will provide for the transportation of sufficient excess baggage to make a total of free and excess as follows:

	Pounds.
Noncommissioned officers	100
Privates of the Hospital Corps	100
Other privates	50

1140. Quartermasters, in issuing requests for transportation of officers and others traveling under orders, will not include therein public property of any description, nor the allowance of personal baggage carried free by the various transportation lines.

FERRIES, TURNPIKES, AND BRIDGES.

1141. Whenever it shall be necessary for troops, teams, or employees in the military service to pass on public duty over a legally constituted toll bridge, ferry, or turnpike, the officer or person in charge of the party will apply to the nearest quartermaster for a request for such passage. If he can not obtain it, he will give to the keeper of the bridge, ferry, or turnpike a certificate stating the number of persons and whether mounted or on foot, number of loose animals, teams and animals to each team for which toll or ferriage is due, and showing that the travel is on public duty. Accounts for such service, accompanied by the request, or certificates duly receipted, will be presented to the nearest disbursing quartermaster for settlement, who, before payment, will satisfy himself that the rates charged do not exceed those authorized, or paid by private individuals, and that the indebtedness was necessarily incurred for the public service. Payment may be made at the authorized or usual rates, unless more favorable terms can be obtained.

STREET-CAR AND FERRY TICKETS.

1142. For the transportation of officers, messengers, and employees of the United States in the transaction of public business, street-car tickets can be supplied by the Quartermaster's Department, when this form of transportation is preferable in convenience and cost to the supply of a Government wagon. This will not apply to an officer traveling under orders covering mileage, or to an officer in his travel from his home to his office and return. The tickets when purchased will be taken up on the return and expended solely in the performance of public duty. Written requests for street-car and ferry tickets will be prepared by quartermasters and forwarded to the Quartermaster General for authority to purchase.

PARLOR AND SLEEPING CAR ACCOMMODATIONS.

1143. The following-named persons are entitled at public expense to a double berth in a sleeping car, seat in a parlor car, or to the customary stateroom accommodations on steamers where extra charge is made for the same: Officers of the Army when traveling on duty with troops; army nurses, civilian clerks, and agents in the military service, and licensed officers of the transport service and of the harbor boat service of the Quartermaster's Department when traveling under orders on public business; and also invalid soldiers when traveling under orders without troops, on the certificate of a medical officer showing the necessity therefor. The enlisted attendants accompanying invalid soldiers are entitled to accommodations equal to those herein allowed to invalid soldiers.

All noncommissioned officers when traveling under orders without troops are entitled to the accommodations hereinbefore mentioned, with the exception of a seat in a parlor car, when the journey exceeds twelve hours and is not day travel, except that when second-class transportation with tourist sleeping-car accommodations is available such transportation and accommodations will be furnished for the through journey. When second-class transportation with tourist-car accommodations is not available and the journey exceeds twelve hours, a portion involving night travel, standard sleeping-car accommodations may be furnished for the through journey. Tourist sleeping cars will be provided for troops on the basis of three men to a section when the journey involves spending a night on the train; but when the number of troops is too small to justify the hiring of tourist sleepers, second-class transportation with tourist sleeping-car accommodations on the same basis may be furnished. When the number is less than three, each man will be furnished with a berth.

When the number of officers traveling with troops is too small to justify the hire by the Quartermaster's Department of a standard sleeping car for their accommodation they will be furnished with such part of a tourist sleeping car, or other suitable sleeping car, properly curtained off for their accommodation, as the Quartermaster's Department may provide for their use during the journey, one lower berth to be furnished to each officer if practicable.

1144. Quartermasters providing parlor and sleeping car accommodations will issue requests therefor, and state therein the number of berths or seats required.

1145. When a journey is to be performed covering a route requiring change of sleeping or parlor car, separate requests will be issued for accommodations in each car in which the person is to travel.

1146. Persons holding requests for sleeping or parlor car accommodations will, whenever practicable, present them to the proper agent and obtain tickets for the number of berths or seats required before commencing the journey. When not practicable to do so, berths or seats will be secured from the conductor of the car. They will receipt for the number of berths or seats furnished, naming the points between which they were furnished.

1147. Special sleeping or parlor cars will not be chartered when the expense exceeds the cost of the berths or seats authorized to be furnished.

1148. When it is impracticable for agents or conductors to furnish berths or seats in sleeping or parlor cars, the holder of the request will, on the termination of his journey, return it to the issuing officer with a statement of the reasons why it has not been used, and that officer will account for it on his return.

1149. An officer, traveling with troops, who incurs expense for authorized sleeping or parlor car accommodations when it is impracticable to obtain a request therefor, will be reimbursed by the Quartermaster's Department, upon application supported by a receipt for the amount paid by him and a copy of the orders under which the journey was performed.

TRANSPORTATION OF BAGGAGE.

1150. In changing station authorized allowances of baggage will be turned over to the quartermaster to be packed and crated, and for transportation as freight by ordinary freight lines. When necessary, the packing and crating may be done by the Ordnance Department at arsenals, armories, or ordnance depots, in which case settlement will be made as provided in paragraph 630.

1151. The baggage to be transported at public expense, including mess chests and personal baggage, upon change of station will not exceed, when packed and crated, the following gross weights:

Rank.	In the field or temporary change of station.	Permanent change of station.
	Pounds.	*Pounds.*
Lieutenant general	1,500	15,000
Major general	1,000	10,500
Brigadier general	700	8,400
Field officer	400	7,200
Captain	200	6,000
First lieutenant, contract surgeon, and dental surgeon	150	5,100
Second lieutenant and veterinarian	150	4,500
Noncommissioned officers above grade 17, paragraph 9, and firemen, Coast Artillery Corps		3,000
Civilian employees of the classified service transferred for the good of the service		3,000

These allowances are in excess of the weights transported free of charge under the regular fare by public carriers. They may be reduced pro rata by the commanding officer, if necessary, and may in special cases be increased by the War Department on transports by water.

Baggage in excess of the foregoing allowances will be shipped upon the same bill of lading with the regulation allowance, upon deposit with the shipping officer, prior to issue of the bill of lading, of a sum equal to the commercial freight charges on the excess, to be ascertained from or through the agent of the carrier at point of shipment, and cost of exchange for remittance to the officer who will settle the transportation charges. The excess will not be shipped on Government bill of lading unless such deposit be first made.

Shipments of allowances of baggage will in all cases be made at carrier's risk, including those over roads where tariffs provide for extra charge therefor, unless the owner files written authority with the shipping quartermaster to ship his entire baggage released. An officer detailed for duty in a foreign country as a military attaché is entitled to packing, crating, and transportation of professional books and papers and the number of pounds of personal baggage specified in the table above. The maximum money allowance for packing and crating for each grade, exclusive of professional books and papers, will be as follows, and will not be exceeded. When less than the maximum allowance for each grade is transported, a proportionate decrease in the cost of packing and crating will be made.

Rank.	Permanent change of station.
Lieutenant general	$90.00
Major general	63.00
Brigadier general	50.40
Field officer	43.20
Captain	36.00
First lieutenant, contract surgeon, and dental surgeon	30.60
Second lieutenant and veterinarian	27.00
Noncommissioned officers above grade 17, paragraph 9, and firemen, Coast Artillery Corps	18.00
Civilian employees of the classified service transferred for the good of the service	18.00

The maximum tare weight of any of the foregoing allowances will not exceed one-fifth of the gross weight. Any saving in tare weight effects an increase in net weight. With this end in view, burlap and excelsior should be used as much as possible as a substitute for crating, and the use of lumber should be limited as much as possible. Should the owner desire lighter packing or crating than the quartermaster deems sufficient, the lighter crating or packing will be used only upon written request of the owner.

1152. The Quartermaster's Department will pack, crate, and transport the authorized change of station allowance of baggage and professional books and papers for officers or enlisted men upon retirement, or who die in the service, from their last duty stations to such places within the limits of the United States as may be the homes of their families, or as may be designated by their legal representatives or executors, and for honorably discharged officers from place of discharge to the place of their residence at the time of their appointment, or to the place of their original muster into the service; also 150 pounds of baggage, inclusive of the quantity carried free by transportation companies, for enlisted men below grade 16, paragraph 9, Army Regulations, who die in the service, from their last duty stations to such places within the limits of the United States as may be the homes of their families, or as may be designated by their legal representatives or executors.

1153. Packing, crating, and transportation of the authorized allowance of baggage for permanent change of station is authorized for officers of the Medical Reserve Corps when joining for duty under the order placing them upon active duty in the service of the United States, for officers of the Medical Corps appointed from officers of the Medical Reserve Corps on active duty in the service of the United States, from the place of their appointment to their first stations on joining for duty, and for such contract surgeons and dental surgeons as may be employed when they join for duty under the first order, and also on return to their homes on the termination of their contracts, if provided for in the contracts. Packing, crating, and transportation for 1,500 pounds of baggage will be furnished to graduates of the United States Military Academy and officers promoted from the ranks on their first assignment to duty as commissioned officers. With these exceptions, transportation of baggage at public expense is not authorized when joining for duty on first appointment to the military or civil service, nor upon reinstatement or reappointment, nor to effect transfers from one station to another at the request of those transferred. Officers on temporary duty are entitled only to the allowance for temporary change of station as authorized in paragraph 1151. In lieu of the allowance authorized for permanent change of station, an officer detailed as attaché or an officer, noncommissioned officer, or civilian employee entitled to an allowance of baggage under the provisions of paragraph 1151, under orders for extended service over the sea or for duty in Alaska is entitled to have his full allowance transported from the station he leaves to his home or to the nearest convenient place of storage, and, upon resuming duty in the United States, from such places to his post of duty, or, if he so desires, a portion of his allowance may be shipped abroad and the balance to such point as may be designated in the United States for storage. An officer detailed as military attaché, when traveling on duty in foreign countries, may carry with him at public expense 150 pounds of baggage, including the quantity which is carried free by the various transportation lines. The cost of transporting any personal baggage in excess of the 150 pounds thus authorized will not be paid by the Quartermaster's Department.

1154. The Quartermaster's Department will pack, crate, and furnish transportation for the prescribed regimental and company desks, for the books, papers, and instruments of staff officers necessary to the performance of their duties, and for the medical chests of medical officers; also for the professional books, including standard works of fiction, of officers changing station, officers ordered home for retirement, graduates of the United States Military Academy, and officers joining on first appointment, which they certify belong to them and pertain to their official duties. Invoices of packages turned over to the shipping officer will be accompanied by the certificate of the officer as to character of books, and a certified copy will be attached to the bill of lading issued at the initial point of shipment.

Shipment of professional books will be made at carrier's risk, as provided for the baggage allowance in paragraph 1151.

TRANSPORTATION OF SUPPLIES.

1155. Officers turning over property to a quartermaster for transportation will plainly mark each package with the name and address of consignee, a list of its contents, its weight, and "U. S."

1156. An officer who turns over supplies to another for transportation in the best condition in which it is possible to put them is relieved from any further responsibility therefor by the receipt of the officer to whom they are intrusted for transportation. Procedure in case of loss, damage, or deficiency found on arrival at destination will be as prescribed in paragraph 732.

1157. Transportation by express, when in excess of cost by ordinary freight, must be limited to emergencies, and vouchers in payment must show the emergency and authority for such transportation. Upon application approved by the department commander, a quartermaster may transport public funds by express. In such cases he will receipt only for so many sealed packages said to contain so much public money. When an absent disbursing officer sends his check to the order of the quartermaster, requesting him to express the amount named therein, the latter will receipt for the actual amount to be transported. In case of loss of funds by unavoidable accident the shipping officer will not be held responsible, and the officer accountable for the funds must seek relief through application to the Court of Claims or to Congress.

1158. Supplies issued to the several States and Territories under the laws for arming and equipping the militia will be turned over to the Quartermaster's Department for transportation and delivery at the railroad depot or steamboat dock nearest to the point within the State or Territory designated by the governor thereof. Separate bills of lading will be used in shipping this property.

1159. A quartermaster is authorized to transport books and musical instruments purchased for, or donated to, post chapels or to post or company libraries, and gymnastic and athletic appliances purchased with regimental, exchange, or company funds, for the use of troops, from the nearest market to the post or station of the troops. Also to furnish transportation at public expense for reading matter donated for use of the enlisted men of the Army, or the United States Military Prison at Fort Leavenworth, Kans., such transportation to be furnished from place of donation to the post, hospital, or prison where intended for use. All such packages will be impersonally addressed and consigned to the proper commanding officer of troops or hospitals, or the commandant of the prison.

1160. The Quartermaster's Department is authorized to ship (under the regulations governing the transportation of military property, and on the same forms of bills of lading) articles donated to the Medical Museum at Washington, the library and museum of the Military Service Institution at Governors Island, N. Y., or the United States Military Academy at West Point, N. Y. Packages will be marked with the name of the institution, and sent in care of the depot quartermaster at Washington or New York, or the quartermaster at West Point.

CLOTHING AND EQUIPAGE.

1161. Tables showing the price of clothing and equipage for the Army, the allowance of clothing in kind to each soldier for each year of his enlistment, and his clothing money allowance for each year, month, and day, also the allowance of equipage to officers and enlisted men, will be published in orders.

1162. Estimates of clothing will be made quarterly, as follows: On January 1 for the quarter ending June 30; on April 1 for the quarter ending September 30; on July 1 for the quarter ending December 31; on October 1 for the quarter ending March 31.

The commanding officer, prior to the rendition of these estimates, will ascertain from company and detachment commanders the probable needs of each organization of his command for the period covered by the estimates and inform the quartermaster, who will compare the estimates with the actual issues to each organization during the previous six months.

1163. Based upon the estimates of the company and detachment commanders, and upon their probable necessities, as shown by previous issues, the

quartermaster will prepare the quarterly estimates in triplicate and submit them to the commanding officer for his action.

These estimates will show the number of each article on hand (giving size) and the number probably required for the period for which the estimate is made. It will also show the number of each article surplus that can be spared for issue at other posts. When approved by the commanding officer, two copies will be forwarded to the chief quartermaster of the department.

1164. The chief quartermaster, upon receipt of the several estimates, will carefully revise the same and note the articles reported as surplus and available for issue at other posts. He will then submit the estimates with his recommendations to the department commander. Surplus articles at any post in the department should be recommended for transfer to other posts where they are required. Articles that can not be supplied from a surplus should be recommended for supply from the depot designated to supply these articles.

1165. After approval by the department commander, the estimates amended to show the number of each article not filled from surplus at other posts will be disposed of as follows:

One copy will be retained in the office of the chief quartermaster and the other one forwarded directly to the depot designated to supply these articles, so as to reach it not later than February 1, May 1, August 1, and November 1, respectively

1166. Should the quantity of clothing and equipage supplied upon the quarterly estimates prove inadequate, a special requisition in triplicate, giving reasons therefor, should be made and forwarded to the chief quartermaster, and after approval by the department commander, one copy will be retained for record in the office of the chief quartermaster and the remaining two copies forwarded direct to the supply depot, except requisitions for band instruments or parts thereof, which will be sent to the Quartermaster General directly. In case of absolute necessity, call for such articles as are urgently needed may be made by telegraph.

1167. Officers of the recruiting service will, in order to prevent any unnecessary accumulations at their respective stations, forward special requisition for such articles of clothing and equipage as may be needed in the immediate future. Such requisitions will be made in duplicate and forwarded to the Quartermaster General directly, accompanied by a list of such surplus property as may be on hand and not required. The condition of such property and the sizes of the clothing will also be stated.

1168. To enable post quartermasters to form an approximate basis as to the sizes required, each company or detachment commander will, whenever called upon, furnish that officer with a statement of the sizes of the various garments worn by the enlisted men composing said commands.

1169. All officers making estimates or requisitions for clothing and equipage will conform to regulations and orders fixing allowances. The sizes furnished require very little, if any, alteration, and estimates should be made as near the exact requirements of the men as possible.

1170. Should any of the sizes of clothing supplied prove inadequate, measurements stated upon prescribed blanks will be forwarded with the estimate for the garments. A certificate that the enlisted man for whom such clothing is intended can not be fitted with the sizes of clothing furnished should accompany each requisition. Additional cost of manufacture, as given in annual price list, will be charged in each case.

1171. The clothing estimated for by each company or detachment commander should, as a rule, be held subject to its wants, but in case of need it

may be otherwise issued, and the quartermaster will then call for a sufficient quantity to replace it if necessary.

1172. When clothing is required a requisition in duplicate, enumerating the articles needed and showing the totals required, will be prepared by the company or detachment commander on the prescribed form. This requisition, when approved by the commanding officer, will be sent to the quartermaster, who will enter on the upper half of both copies the totals which can be actually supplied. The quartermaster will then enter on the upper half of both copies the money value in words and figures of the total amount of clothing to be issued, prepare the items for issue, and send due notice to the company or detachment commander when the clothing is ready for issue. After verifying the quantities of clothing entered in the upper half of the requisition by the quartermaster, the organization commander will sign on the upper half of the original a memorandum receipt to the effect that he has received for issue the articles noted in column "Total issued," and will remove the articles from the quartermaster's storehouse.

The upper half of the original (the requisition) thus signed will be detached by the quartermaster and retained by him as a memorandum receipt. The lower half of the original (the receipt) and the entire duplicate copy (requisition and receipt) will be turned over to the organization commander at the time of issue of clothing.

After the clothing has been issued to the enlisted men by the organization commander, the lower half (the receipt) of both copies should be filled in by the organization commander, showing the actual quantity of each article issued, and a red line drawn through each blank space and the certificate of the organization commander at the foot thereof completed.

The lower half of the original and the complete duplicate, together with all clothing not actually issued to enlisted men, will then be returned to the quartermaster, who will, upon receipt thereof, verify the upper half of the original in his possession with the issue certified to by the organization commander, taking into account the articles returned, which should be noted on the upper half of both copies. After satisfactory settlement of all differences the quartermaster will certify to the money value of the articles returned on the upper half of both copies and return the upper half of the original to the organization commander.

The receipt, serially numbered, will be filed by the quartermaster after he has entered thereon the value of the clothing actually issued, as a voucher to his return and forwarded to the Quartermaster General as authority for dropping the items therefrom. The duplicate form complete will be retained by the quartermaster as a voucher to his retained return.

Should the prices of the articles issued differ from the prices announced in the annual clothing order, the quartermaster will note on both parts of the form the necessary information regarding the items and their prices.

Issues to individuals will be made at once by the company or detachment commander or other commissioned officer representing him. The transaction will be recorded in the "Detailed statement of clothing" and in the clothing account on the soldier's "Descriptive list," the latter to show the date of issue, voucher number of requisition, money value of clothing drawn, and signatures of soldier and of witnessing officer.

1173. In the case of a soldier serving at an ungarrisoned or isolated station the officer who keeps the soldier's descriptive list will prepare the requisition and sign the receipt for the clothing.

1174. Each soldier's clothing account will be kept by the company or detachment commander on the blank provided for that purpose. The account will

show the money value of the clothing received by the soldier at each issue and his receipt therefor will be taken on the blank. Gratuitous issues will be entered separately, but their money value will not be deducted from the soldier's regular clothing allowance.

1175. Company and detachment commanders will settle the clothing account of every enlisted man of their commands on June 30 and December 31 of each year, without regard to date of individual enlistment. The entire amount found due the United States will be charged to the soldier upon the pay rolls for the period embracing the date of settlement and on subsequent rolls until the whole amount is deducted.

1176. The clothing money allowance will consist of an initial allowance and a yearly allowance. The initial allowance is intended to cover the cost of all clothing required between date of enlistment and the date upon which the recruit is taken up for full duty, but will not be considered as fully earned by the soldier until he shall have completed six months' service. The yearly allowance in each year will be identical for every year of the enlistment period and, with the initial allowance, will be determined by the annual estimated value of the clothing. One-sixth of the initial allowance will constitute the monthly share, and one-thirtieth of the latter the daily share of the initial allowance actually accruing to the soldier. When the clothing account of a soldier is opened in the organization to which he has been assigned he will be credited with the initial allowance. At the first settlement thereafter he will be credited with the portion of the yearly allowance accruing between date of enlistment and date of settlement as determined by the monthly and daily rates. At each succeeding settlement he will be credited with half the yearly allowance, and at the expiration of his term of service will be credited with the amount due from last settlement as determined by the monthly and daily rates.

1177. When a soldier is separated from the service during the first six months of his enlistment, any clothing allowance which may have been previously credited to him will be disregarded, and the allowance to be credited in the settlement of his clothing account will be determined from date of enlistment to date of separation from the service according to the table of allowances in force at the latter date. He will be given no credit for clothing not drawn in kind unless the total value of the clothing charged to his account shall be less than the amount of credit accruing between date of enlistment and date of separation from the service. This will be determined by adding to the allowance due at the yearly rate the portion of the initial allowance corresponding to the number of months and days of service. Thus, if such soldier has had three months and three days' service the allowance to be credited from date of enlistment to date of separation from the service would be the sum of three times the monthly allowance, three times the daily allowance, three times the monthly share of the initial allowance, and three times the daily share of the initial allowance. Should the clothing charged to the soldier amount to less than this sum, the difference will be due him; but the final account of such soldier shall show no indebtedness to the United States for clothing overdrawn unless the total amount charged for clothing shall exceed the entire initial allowance increased by the portion of the yearly allowance accruing between date of enlistment and date of separation from the service, in which case the excess shall be charged as due the United States for clothing overdrawn. When a soldier is separated from the service at any time after the expiration of the first six months of an enlistment he will be credited in the settlement of his clothing account with the allowance accruing between date of last settlement and date of separation from the service as determined by the monthly and daily rates. When for the convenience of the Government a soldier is retained in the service

after the expiration of his term of enlistment, his clothing money allowance at the regular rate will be credited for the period of such retention.

1178. The balance due the soldier at date of settlement will be credited to him upon his clothing account. It will not be placed upon the pay rolls, but the final balance due at date of discharge will be entered upon his final statements. In case of transfer, the balance due the soldier or the United States will be entered on the descriptive list. All balances of this character will be stated in words and figures.

1179. The clothing account of a soldier who deserts should be settled in full to date of desertion. The balance due to him or to the United States will be entered on the next muster rolls and pay rolls after date of desertion. In determining this balance, where the desertion occurs within the first six months of enlistment, any clothing allowance which may have been previously credited will be disregarded and the allowance to be credited will be the portion of the initial and yearly allowances accruing from date of enlistment to date preceding date of desertion as shown by the monthly and daily rates. Where the desertion occurs after the first six months of enlistment, the settlement to last regular settlement date, June 30 or December 31, will not be disturbed, and in settling the account to date of desertion additional credit will be given for the portion of the yearly allowance accruing from date of last settlement to date preceding date of desertion as shown by the monthly and daily rates.

1180. A deserter who surrenders or is apprehended is entitled to clothing allowance from the date of his return to military control if such date is prior to the expiration of his term of enlistment; if subsequently thereto, no clothing allowance will be due him unless he is retained in the service, in which case he will be entitled to clothing allowance for his actual service in making good the time lost by desertion. Should the term of enlistment expire while the soldier is awaiting trial for desertion or is undergoing sentence to confinement therefor not including discharge, his clothing allowance ceases on date of expiration of term of enlistment and recommences on date of release from confinement and restoration to duty. In the above cases the amount due the soldier will be obtained from the tables then and subsequently in force. A new clothing account will be opened without reference to the account of the soldier at date of desertion, but no portion of the initial allowance will be credited.

1181. Clothing allowance accruing to a soldier after return to the service from desertion will not be used to reduce the amount of the soldier's indebtedness at date of desertion; the full amount of the soldier's indebtedness must be charged on the roll, to be deducted by the paymaster when he settles the soldier's account.

1182. When the necessity for the issue is certified by the post commander, arctic overshoes, winter gauntlets, winter caps, and woolen mittens may be issued to enlisted men at cost price. These articles will conform to patterns in the office of the Quartermaster General of the Army and do not form part of the annual money allowance for clothing.

1183. Officers in charge of general recruiting stations are authorized to issue to members of their respective recruiting parties such number of suits of white summer clothing, consisting of coats, trousers, and caps, the latter to be of same pattern as the khaki caps, as may actually be required to insure a neat appearance of the men. This clothing will be furnished upon requisitions forwarded to the Quartermaster General, and will be charged to the enlisted men only in case of loss or damage. When no longer fit for service, it will be submitted to the action of an inspector.

The Quartermaster's Department will keep this clothing in clean condition, and any expense incident thereto will be paid from the appropriation for incidental expenses.

Articles of band uniforms, including music pouches, that do not form part of the annual clothing allowance may be issued, but not charged except in case of loss or damage.

All articles enumerated in this paragraph will remain the property of the United States, and be accounted for upon the returns of the accountable officer.

1184. There will also be issued to troops stationed in extremely cold regions, when the necessity for such issue is certified by the post commander, fur or blanket lined overcoats, and blanket lined caps, but only to men performing guard duty or other necessary outdoor duty when exposure to weather would jeopardize life or limb by freezing. These overcoats and caps will not be charged to the enlisted men but will remain the property of the United States.

1185. The Quartermaster's Department is authorized to pay from the appropriation for clothing and equipage a sum not to exceed $1.50 per month for the laundry work of each recruit who has no funds of his own at recruiting stations, recruit depots, and recruit depot posts. The expenditure will be charged on the clothing account of the recruit and so noted on his descriptive and assignment card.

1186. Military convicts will not be permitted to wear as an outer garment or have in their possession any clothing which is a distinctive article of the uniform worn by enlisted men. Commanding officers may order necessary issues of clothing to military convicts or prisoners who have no clothing allowance from clothing specially provided for the purpose. The receipt of the officer in charge of the prisoners or military convicts to whom the issues are made will be the quartermaster's voucher for such issue. The issue of articles of the uniform under this paragraph will be avoided if possible.

1187. The issue to military convicts employed at outdoor labor in severe weather at military posts of such overcoats, dyed brown, overshoes, and woolen mittens as, in the judgment of the department commander, may be necessary to prevent suffering, is authorized.

1188. Gratuitous issues of clothing may be made, under the provisions of section 1298, Revised Statutes, to replace articles destroyed to prevent the spread of contagious diseases, upon the certificate of an officer that the clothing was so destroyed upon the recommendation of the medical officer named.

1189. Should it become necessary to issue new clothing for use in the burial of a deceased soldier, as in the case of a man who dies away from his proper command and under circumstances rendering such issues imperatively necessary, the expense of the issue will be borne by the United States, and the clothing will be dropped from the returns of the issuing officer on the orders of the commanding officer, which must recite the necessity for the issue.

1190. Officers of the Army, contract and dental surgeons, and veterinarians may purchase from the Quartermaster's Department such articles of uniform clothing, clothing materials, and equipage as they need, provided the property is available. They will certify that the articles are for their personal use.

1191. Officers' servants will not be permitted to wear clothing intended for troops, except underclothing and shoes, which may be purchased in limited quantities, if available, upon the officer's certificate that they can not be otherwise obtained.

1192. Quartermasters are authorized to drop from their returns tent pins, and ax, pickax, and hatchet helves, upon officers' certificates that the articles have been worn out in service.

1193. Estimates for tableware and kitchen utensils will be prepared and submitted to proper authorities not later than thirty days in advance of the quarter for which required. They will be limited to such articles as, with those on hand at the time an estimate is submitted, shall not exceed in kind and quantity the mess outfit as announced in the general orders prescribed in paragraph 301. Special estimates may be made when necessary to meet emergencies, and in such cases the circumstances constituting the emergencies will be stated.

1194. Commanding officers of posts and of all organizations supplied with tableware and kitchen utensils will exercise a rigid supervision and economy in the care and preservation of all such articles, and any damaged, broken, destroyed, or lost through the carelessness of enlisted men will be charged against their pay, as explained in paragraph 697, and a "statement of charges" on the prescribed form will be filed as a voucher with the return from which the articles are dropped. Loss through breakage of china and glassware, not due to carelessness, may be replaced at public expense on proper requisition, provided it does not exceed 20 per centum per annum, or 5 per centum per quarter, of the total value of china and glassware to which the mess is entitled (value to be determined by the prices given in the annual price list), and the articles so replaced will be destroyed and dropped from returns in the manner prescribed in paragraph 1192. Any excess of breakage will be replaced only under extraordinary circumstances, or when values have been charged as herein provided, and requisitions calling for such excess must show clearly the circumstances or the fact that charge has been made. Estimates calling for articles other than china and glassware must show the necessity for them, and if to replace articles lost or stolen, must be accompanied by the report of a surveying officer, unless values have been charged as hereinbefore directed.

1195. There will be furnished by the Quartermaster's Department to all duly authorized bands of the Army the following-named musical instruments, viz: Db piccolo, terz and concert flutes, Eb and Bb cornets, Eb and Bb trumpets, Eb and Bb clarionets, Eb altos, Bb trombones (valve or slide), Bb baritones, Eb, Bb, and BBb bassos, bass and snare drums, cymbals, triangles, music stands, and extra parts for the repair of the instruments; also batons with suitable cords and tassels for use of drum majors of all dismounted bands. Mounted bands may be supplied with a pair of kettledrums in lieu of the bass and tenor drums, cymbals, and triangles, and also with altos, trombones, and bassos of helicon shape. A flugelhorn may be furnished in lieu of the Eb trumpet, a euphonium in lieu of one alto, one Eb alto saxophone, and one Eb baritone saxophone in lieu of two cornets; but under no circumstances will more than a complete instrumentation for 28 musicians be supplied. In making requisition for band instruments a statement showing the number and kind on hand and their condition should accompany the same. All the property specified will be accounted for by the quartermaster of the regiment. When any instrument has become unserviceable it will be submitted to a surveying officer. A copy of his report will be forwarded to the Quartermaster General with a view of having the instrument repaired, if practicable, or otherwise disposed of. When an instrument needs minor repairs, involving only a slight expense, and the work can be done in a workmanlike manner in the vicinity of the post, it will not be necessary to submit the instrument to a surveying officer. Such repair may be secured upon the written order of the commanding officer, but a report of the nature of the work and cost involved will be made to the Quartermaster General, through proper military channels.

1196. There will be furnished by the Quartermaster's Department to each field battery two small brass Bb bugles; to every other company two G trumpets with F slides, and if desired, detachable F crooks. Foot troops may, in addition thereto, use the drums and fifes if desired by regimental or district commanders. Whistles will be furnished for such sergeants, corporals, or musicians as are required to use them. The foregoing articles will conform to patterns in the office of the Quartermaster General of the Army and will be accounted for as equipage.

1197. The allowance of corn brooms, scrubbing brushes, and mops will be as follows:

For each organization having an authorized maximum strength of 100 enlisted men or over, 9 brooms, 6 brushes, and 3 mops a month.

For each organization having an authorized strength of less than 100 enlisted men and over 60, 6 brooms, 4 brushes, and 2 mops a month.

For each organization having an authorized strength of 60 men or less, 4 brooms, 3 brushes, and 2 mops a month.

Three brooms and 2 brushes per annum for each noncommissioned officer entitled to a room as quarters.

Six brushes and 4 mops per annum to each post bakery.

Twelve brooms and 8 brushes per annum to each city recruiting station.

For cleaning casemates, storerooms, and loading rooms, 3 brooms a quarter.

Commanding officers may, when necessary, order the issue of not to exceed 6 brooms and 6 mops per annum to each public office and building heated by the Government.

The necessity for and the fact of issue will in all cases be certified to by the officer commanding the organization or in charge of the office or building and be verified by the commanding officer.

The articles mentioned above will habitually be drawn quarterly, but may be drawn when needed. If less than the maximum allowance be drawn in one quarter, credit can not be given in another quarter.

1198. Commanding officers may, when necessary, order the issue of 4 cans of concentrated lye and 6 cakes of sapolio per month to each company, and one-half that quantity to each band, and the necessary quantity for buildings heated by the Government and not thus provided for. The use of concentrated lye upon the floors and woodwork in all modern barracks, kitchens excepted, is forbidden.

1199. The use of serviceable tents or other canvas for any purpose other than that for which such articles are furnished is prohibited, except in cases of emergency when necessary to protect public property.

The prescribed allowance of tentage and equipage will habitually be kept in the hands of the organizations to which it is issued.

After use and before being put away, tentage and equipage will be thoroughly aired, dried, and put in serviceable condition, so as to be ready for immediate use when again required.

TELEGRAPHING.

1200. The telegraph will be used only in cases of urgent and imperative necessity, in which the delay consequent upon transmission by mail would be prejudicial to the public interests. In cable dispatches only such words will be sent as are necessary to a clear understanding of their contents.

1201. The War Department Telegraphic Code will be accounted for on the post return and transferred upon change of post commanders. The post commander is required to retain the code in his custody, and is responsible for the key and its proper use. Department commanders, from time to time, and

particularly when post commanders are changed, will make use of the code. When military necessity causes it to be destroyed, it should be burned leaf by leaf.

1202. Accounts for telegrams on military business prepared on the prescribed form in the name of the telegraph company rendering the service and accompanied by the original telegrams, in the case of telegrams sent checked "paid," and in the case of telegrams received checked "collect," by the impression copies thereof, will be paid by the Quartermaster's Department, with the following exceptions:

1. Accounts for reimbursement of amounts paid by officers for telegraphic service, which will be prepared upon prescribed forms.

2. Accounts for telegrams on public business of a confidential nature when in the opinion of the officer receiving or sending them it is improper that copies should accompany the accounts, or where copies can not be procured. When it is questionable whether the telegrams are on official business or that the telegraph should have been used, such accounts will be accompanied by full explanations from the officer who sends or receives the telegrams.

The accounts excepted in this paragraph will be forwarded to the Quartermaster General for settlement.

In settling accounts for telegrams which pass over the lines of more than one company (bond-aided excepted), payment may be made on the original telegram to the initial company for the entire service.

1203. Telegrams making application for leave of absence or extension of leave, or of inquiry whether leave has been granted, and the replies made thereto by telegraph, will not be sent or paid for as public dispatches.

1204. In framing telegrams all words not important to the sense will be omitted. The last name of the officer addressed, or his title, and the last name of the sender are generally sufficient.

1205. In each territorial department a quartermaster will be assigned by the department commander to the duty of adjusting and settling telegraph accounts under the instructions of the Quartermaster General.

1206. Blank forms for official telegrams will be furnished by the Quartermaster General for use in the military service.

1207. Nothing is required of officers sending telegrams beyond the delivery of the message to the company. The proper quartermaster will receive from telegraph companies their accounts, with proofs of service (which should be original telegrams whenever practicable), and will prepare and certify vouchers for the same and pay them, or forward them for settlement as is required in paragraph 1202. Information desired by telegraph companies in regard to military business will be obtained from the Quartermaster's Department.

1208. When telegrams are sent "collect" by private individuals, the nature of the telegrams should govern the action of the disbursing quartermaster. If strictly on Government business, payment will be made by the United States.

1209. Whenever special delivery is necessary to expedite the delivery of an official telegram, or where the place of delivery is located beyond the established free-delivery limits, the officer filing the telegram for transmission should mark it "special-delivery charges paid." The special-delivery charges, which should be included in the bill of the telegraph company for the transmission of the telegram, will be paid by the quartermaster designated to pay the telegraph accounts in the department in which the telegram originated.

If the addressee lives at such a distance from the telegraph office as to make the special-delivery charges excessive, and the delay will not be of a serious nature, the telegram should be marked: "By mail from ———," indicating the name of the telegraph office from which the telegram should be mailed.

TELEPHONING.

1210. Where telephoning is practicable, accounts for the same may be paid from the appropriation for the payment of telegraphic service.

ARTICLE LXXV.

SUBSISTENCE DEPARTMENT.

NOTE.—Regulations for the government of the Subsistence Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Commissary General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

GENERAL DUTIES.

1211. The Subsistence Department supplies, from funds duly appropriated for that purpose, subsistence for enlisted men and others entitled thereto, and also supplies articles for authorized sales and issues.

The Commissary General furnishes lists of articles authorized to be kept for sale, and gives instructions for procuring, distributing, issuing, selling, and accounting for all subsistence supplies.

COMMISSARIES.

1212. Purchasing commissaries make purchases of supplies in accordance with Article LI, and distribute them as directed. Upon direct calls of chief commissaries they transfer to commissaries of posts and stations such funds from the appropriation "Subsistence of the Army" and such authorized subsistence supplies as chief commissaries, under instructions from department commanders, deem necessary.

1213. A chief commissary will make calls upon purchasing commissaries designated by the Commissary General for funds and supplies for posts and stations supervised by him, and under instructions from the Commissary General will furnish funds and supplies to posts within his department which are exempted from the supervision of the department commander. He will keep a commissary book for each post and station, and decide whether the quantities of articles called for on requisitions should be allowed, increased, or diminished.

1214. Commissaries will make timely estimates and requisitions, approved by their commanding officers, for funds and supplies for the troops with which they serve, and forward them, through military channels, to the chief commissaries. If any of the supplies can be obtained advantageously in the vicinity of the places where needed, the fact will be noted in detail on the requisitions by the commissaries.

SUBSISTENCE SUPPLIES IN BULK.

1215. Subsistence supplies comprise—

1. Subsistence stores, consisting of articles composing the ration, those for other authorized issues, and those furnished for sale to officers and enlisted men.

2. Subsistence property, consisting of the necessary means for testing, handling, preserving, issuing, selling, and accounting for these stores, and cooking apparatus in the field and when traveling (except on transports), bake ovens and apparatus pertaining thereto.

1216. Stores longest on hand, if in fit condition, will be first issued, sold, or shipped.

1217. Subsistence supplies in good condition, but not required for use, will be disposed of under the direction of the Commissary General. In urgent cases, such as sudden abandonment of a post, liability to rapid deterioration, etc., they may be sold, or otherwise properly disposed of, on the recommendation of an inspecting officer, approved by a commanding general.

1218. Subsistence supplies will not be transferred gratuitously to another staff department, nor obtained, issued, sold, or otherwise disposed of, except as authorized by regulations.

TRANSFERS IN BULK.

1219. When subsistence supplies are to be transported, the invoicing commissary will make timely requisition in writing upon the proper quartermaster, stating as nearly as possible the kind and amount of supplies to be transported, when they will be ready for delivery, when they should reach their destination, and any other information relating thereto which the quartermaster should possess. The commissary will give the quartermaster invoices in duplicate of the packages and their contents as marked and obtain from him receipts in duplicate. The commissary will forward similar invoices in duplicate to the consignee and obtain receipts in duplicate from him.

STOREHOUSES.

1220. Storehouses, sheds, paulins, or other means of covering and protecting subsistence supplies will ordinarily be provided by the Quartermaster's Department.

1221. Coal oil, gunpowder, quicklime, or other articles of like dangerous nature will not be kept in or near subsistence storehouses.

FRESH MEATS.

1222. Fresh meats from the block will usually be provided for troops by contract. Beef cattle will ordinarily be purchased only when necessary for supplying beef to troops in campaign or on the march.

THE RATION.

1223. A ration is the allowance for the subsistence of one person for one day and varies in components according to the station of the troops or the nature of the duty performed. The garrison ration is for troops in garrison or in permanent camps; the field ration is for troops in the field with sufficient transportation; the haversack ration for troops in the field in active campaign when transportation is limited; the travel ration for troops traveling otherwise than by marching and separated from cooking facilities; the Filipino ration for use of the Philippine Scouts, and the emergency ration for troops in active campaign for use on occasions of emergency.

The commanding officer will determine which of the several prescribed rations is appropriate for the particular service to be performed and will direct the use of the same.

After troops have, through the exigencies of the service, subsisted on the field or haversack ration the commanding general may, in written orders, direct the issue in kind of specified articles of subsistence stores of money value equal to the difference in the price between the field or haversack ration furnished to

and used by such troops and the price of the same number of garrison rations. Such issue will be made only when necessary for the health and comfort of the troops and will be independent of and in addition to the ration then being used, but such issues will not be ordered after sixty days from the last date on which the troops were subsisted on the field or haversack ration.

1224. Enlisted men, applicants for enlistment while held under observation, prisoners of war, military prisoners at posts, hospital matrons, and nurses in the Nurse Corps are each entitled to one ration a day, according to the station or the nature of the service; and when the rate of pay of a civilian employed with the Army does not exceed $60 a month, if the circumstances of his service make it necessary and the terms of his engagement provide for it, there may be allowed him one ration a day, according to the exigencies of the case. Civilian employees traveling with organizations of troops will be rationed as are the organizations.

1225. Rations will be furnished to officers and men of the Marine Corps and to officers and seamen of the Navy when acting, or proceeding to act, in cooperation with the land forces of the United States, in conformity to the requirements of section 1143 of the Revised Statutes.

1226. The kinds and quantities of the component articles of the army ration and the substitutive equivalent articles which may be issued in place of such components shall be as follows:

1. GARRISON RATION.

Component articles and quantities.		Substitutive articles and quantities.	
Beef, fresh	20 ounces	Mutton, fresh	20 ounces.
		Bacon [1]	12 ounces.
		Canned meat, when impracticable to furnish fresh meat.	16 ounces.
		Hash, corned beef, when impracticable to furnish fresh meat.	16 ounces.
		Fish, dried	14 ounces.
		Fish, pickled	18 ounces.
		Fish, canned	16 ounces.
		Chicken or turkey, dressed, on national holidays when practicable.	16 ounces.
Flour	18 ounces	Soft bread	18 ounces.
		Hard bread, to be ordered issued only when impracticable to use flour or soft bread.	16 ounces.
		Corn meal	20 ounces.
Baking powder	0.08 ounce		
Beans	2.4 ounces	Rice	1.6 ounces.
		Hominy	1.6 ounces.
Potatoes [2]	20 ounces	Potatoes, canned	15 ounces.
		Onions, in lieu of an equal quantity of potatoes, but not exceeding 20 per centum of total issue.	
		Tomatoes, canned, in lieu of an equal quantity of potatoes, but not exceeding 20 per centum of total issue.	
		Other fresh vegetables (not canned) when they can be obtained in the vicinity or transported in a wholesome condition from a distance, in lieu of an equal quantity of potatoes, but not exceeding 30 per centum of total issue.	
Prunes [3]	1.28 ounces	Apples, dried or evaporated	1.28 ounces.
		Peaches, dried or evaporated	1.28 ounces.
		Jam, in lieu of an equal quantity of prunes, but not exceeding 50 per centum of total issue.	

[1] In Alaska, 16 ounces bacon, or, when desired, 16 ounces salt pork, or 22 ounces salt beef.

[2] In Alaska the allowance of fresh vegetables will be 24 ounces instead of 20 ounces, or canned potatoes, 18 ounces instead of 15 ounces.

[3] At least 30 per centum of the issue to be prunes when practicable.

NOTE.—Food for troops traveling on United States Army transports will be prepared from the articles of subsistence stores which compose the ration for troops in garrison, varied by the substitution of other articles of authorized subsistence stores, the total cost of the food consumed not to exceed 24 cents per man per day.

1. GARRISON RATION—Continued.

Component articles and quantities.		Substitutive articles and quantities.	
Coffee, roasted and ground	1.12 ounces	Coffee, roasted, not ground	1.12 ounces.
		Coffee, green	1.4 ounces.
		Tea, black or green	0.32 ounce.
Sugar	3.2 ounces		
Milk, evaporated, unsweetened.	0.5 ounce		
Vinegar	0.16 gill	Pickles, cucumber, in lieu of an equal quantity of vinegar, but not exceeding 50 per centum of total issue.	
Salt	0.64 ounce		
Pepper, black	0.04 ounce		
Cinnamon	0.014 ounce	Cloves	0.014 ounce.
		Ginger	0.014 ounce.
		Nutmeg	0.014 ounce.
Lard	0.64 ounce		
Butter	0.5 ounce	Oleomargarine	0.5 ounce.
Sirup	0.32 gill		
Flavoring extract, lemon	0.014 ounce	Vanilla	0.014 ounce.

2. FIELD RATION.

Component articles and quantities.		Substitutive articles and quantities.	
Beef, fresh, when procurable locally.	20 ounces	Mutton, fresh, when procurable locally	20 ounces.
		Canned meat	16 ounces.
		Bacon	12 ounces.
		Hash, corned beef	16 ounces.
Flour	18 ounces	Soft bread	18 ounces.
		Hard bread	16 ounces.
Baking powder, when ovens are not available.	0.64 ounce		
Yeast, dried or compressed, when ovens are available.	0.04 ounce		
Beans	2.4 ounces	Rice	1.6 ounces.
		Potatoes, canned	12 ounces.
Potatoes, when procurable locally.	16 ounces	Onions, when procurable locally, in lieu of an equal quantity of potatoes, but not exceeding 20 per centum of total issue.	
		Tomatoes, canned, in lieu of an equal quantity of potatoes, but not exceeding 20 per centum of total issue.	
Jam	1.4 ounces		
Coffee, roasted and ground	1.12 ounces	Tea, black or green	0.32 ounce.
Sugar	3.2 ounces		
Milk, evaporated, unsweetened.	0.5 ounce		
Vinegar	0.16 gill	Pickles, cucumber, in lieu of an equal quantity of vinegar, but not exceeding 50 per centum of total issue.	
Salt	0.64 ounce		
Pepper, black	0.04 ounce		

3. HAVERSACK RATION.

Component articles and quantities.		Substitutive articles and quantities.
Bacon	12 ounces	
Hard bread	16 ounces	
Coffee, roasted and ground	1.12 ounces	
Sugar	2.4 ounces	
Salt	0.16 ounce	
Pepper, black	0.02 ounce	

4. TRAVEL RATION.

Component articles and quantities.		Substitutive articles and quantities.	
Soft bread	18 ounces	Hard bread	16 ounces.
Beef, corned	12 ounces	Hash, corned beef	12 ounces.
Beans, baked	4 ounces		
Tomatoes, canned	8 ounces		
Jam	1.4 ounces		
Coffee, roasted and ground	1.12 ounces		
Sugar	2.4 ounces		
Milk, evaporated, unsweetened.	0.5 ounce		

5. FILIPINO RATION.

Component articles and quantities.		Substitutive articles and quantities.	
Beef, fresh	12 ounces	Bacon	8 ounces.
		Canned meat	8 ounces.
		Fish, canned	12 ounces.
		Fish, fresh	12 ounces.
Flour	8 ounces	Hard bread	8 ounces.
Baking powder, when in field and ovens are not available.	0.32 ounce		
Rice	20 ounces		
Potatoes	8 ounces	Onions	8 ounces.
Coffee, roasted and ground	1 ounce		
Sugar	2 ounces		
Vinegar	0.08 gill		
Salt	0.64 ounce		
Pepper, black	0.02 ounce		

6. EMERGENCY RATION.

The emergency ration is furnished, in addition to the regular ration, as required for troops on active campaign and will not be opened except by order of an officer or in extremity, nor used when regular rations are obtainable.

Ration returns upon which emergency rations are drawn will bear the certificate of the organization commander that such rations are required for the enlisted men of his organization and that the money value of any rations previously drawn by him, and improperly opened or lost, has been charged against the person responsible.

Company and detachment commanders are responsible for the proper care and use of emergency rations carried on the person of the soldier.

One day in each alternate month of the season of practical instruction, not exceeding three days in each year, the use of the haversack ration with individual cooking will be required by all troops in the field for purposes of instruction.

1227. When it is contemplated to grow vegetables in a post garden, the post commissary, with the approval of the post commander, will notify the chief commissary of the period during which the post garden may be relied upon to supply vegetables, and that period will be excepted from the operation of any contract that may be made for supplying vegetables to the post.

1228. In adjusting charges to be made against enlisted men or others on account of increased expense to the Government for their subsistence, the value of the garrison and field rations will be estimated at 25 cents each; the Filipino ration at 20 cents; and the travel ration at 40 cents.

LIQUID COFFEE.

1229. When an enlisted man or an applicant for enlistment, supplied with cooked or travel rations, travels unaccompanied by an officer, and it is impracticable to cook coffee en route, he may be supplied with funds for the purchase of

liquid coffee in lieu of the coffee, milk, and sugar components of the travel ration, at the rate of 21 cents a day for the number of days that the travel is expected to cover, to be paid to each man on the order of the commanding officer who directs the journey, a copy of the order being filed with the voucher on which payment is made. When an enlisted man or an applicant for enlistment, supplied with cooked or travel rations, travels under the command of an officer, and it is impracticable to cook coffee en route, funds at the rate of 21 cents a day for a similar purpose may be transferred to the officer to be disbursed and accounted for. At the end of the journey all money in excess of 21 cents a day for each man for the actual number of days traveled will be transferred to the nearest commissary. Should any part of the 21 cents a day for the actual number of days traveled be unexpended it will be transferred to company commanders pro rata, to be taken up by them as part of the company fund.

RATION RETURNS AND ACCOUNTS.

1230. Ration returns for troops and applicants for enlistment while held under observation will be signed by the immediate commanders of the organizations, and approved by the commanding officer. After approval they will be presented at the commissary for action. Single ration returns will be submitted for organizations, including persons permitted to mess separately, and will embrace all persons actually present. Individual "Ration and savings accounts" will not be opened for enlisted men or civilian employees permitted to mess separately. Company and detachment commanders will personally verify the additions and deductions of rations on the returns on account of men joining and leaving during the ration periods immediately preceding, and the proper authority before approving such returns will cause them to be verified.

1231. The ration for the Hospital Corps, hospital matrons, and others attached entitled to rations will be the same as that for the troops with which they serve. Their ration returns will be signed by the medical officer in charge and approved by the commanding officer.

1232. The ration for civilians employed with the Army will be the same as that for the troops with which they serve. Their ration returns will be signed by the officers in charge of the employees and approved by the commanding officer.

1233. Subsistence supplies will be furnished to the organized militia of the several States, Territories, and the District of Columbia in accordance with the provisions of "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903, as amended by the act of Congress approved May 27, 1908, upon proper requisition therefor.

1234. The ration of enlisted men, applicants for enlistment held under observation, and military convicts sick in hospital, as well as of members of the Nurse Corps while on duty in hospital, will be commuted at the rate of 30 cents a ration (except that at the General Hospital at Fort Bayard, N. Mex., 50 cents a ration is authorized for enlisted patients therein), to be paid to the surgeon in charge by the post commissary or such officer of the Subsistence Department as may be designated.

1235. When any considerable detachment of enlisted men leaves a post or command, the detachment commander will be furnished by the commissary with a ration certificate giving the number of men and the organization to which they belong, and setting forth the date to which, and by whom, their ration and savings account has been settled, which certificate will be presented to the commanding officer at the station where rations are next furnished. Civilian employees entitled to rations are, when detached, furnished with ration certificates.

1236. When a person entitled to rations leaves an organization the rations allowed for him for any period beyond the date of his leaving and not taken with him will be deducted on the next ration return of the organization.

OTHER ISSUES OF SUBSISTENCE STORES.

1237. The following issues are authorized when necessary for the public service and will be made on ration returns approved by the commanding officer, who will determine what quantities, within the limits prescribed below, shall be issued.

1. Soap:
   To organizations of enlisted men—
   For each ration, 0.64 ounce.
   For use of prisoners in guardhouses and military prisons—
   Such quantities as the commanding officer may order as necessary.
   For each ration issued in the field, in addition to the foregoing, 0.25 ounce hand soap to be issued in ounce cakes.
2. Candles, when illuminants are not furnished by the Quartermaster's Department:
   To organizations of enlisted men—
   For each ration, except the Filipino ration, 0.24 ounce. In Alaska, 0.32 ounce.
   For each Filipino ration, 0.12 ounce.
   To headquarters in the field of organizations larger than a company, to hospitals, depots of supply, guards, and telegraph stations—
   Such quantities as the commanding officer may order as necessary.
3. Lantern candles:
   For use in lanterns furnished to the Army by the Government and used in the public service—
   Such quantities as the commanding officer may order as necessary.
4. Matches:
   For lighting fires and lights, for which fuel and the illuminating supplies are issued—
   Such quantities as the commanding officer may order as necessary.
5. Toilet paper:
   For use of enlisted men stationed at military posts, camps, and rendezvous provided with modern water-closets, with sewer connections, or where sanitary conditions require its use—
   To organizations of enlisted men—
   One package or roll of 1,000 sheets for every sixty rations.
   For use in water-closets of offices, post gymnasiums, guardhouses, and post exchanges—
   Such quantities as the commanding officer may order as necessary.
6. Salt, rock:
   For each public animal, a day, 0.8 ounce.
7. Vinegar:
   For each public animal, a day, 0.1 gill.
8. Flour:
   For paste used in target practice—
   For each troop or company, 50 pounds, and for each battery of field artillery, 100 pounds during the practice season.

9. Towels, huck:

For use in the offices of post and artillery district staff officers, when the necessity for the issue is certified to by the commanding officer—

For each person whose employment therein is authorized, not to exceed two towels a year.

10. Ice:

To organizations of enlisted men, when practicable—

For each ration, 4 pounds, the maximum allowance to any organization or detachment of less than 100 men to be 100 pounds a day, and to organizations of 100 men or more to be 1 pound a day for each man.

To troops stationed north of the thirty-seventh parallel of north latitude and where from any cause it is impracticable to cut and store ice for their use, the allowance will be for seven months only, beginning April 1 and ending October 31, except in the States of Washington, Oregon, and Idaho, where during the remainder of the year one-half of such allowance may be issued, and in the State of California where the full allowance may be issued for the entire year.

To troops stationed south of the thirty-seventh parallel of north latitude the full allowance may be issued for the entire year.

At posts where it is practicable during the cold season to cut and store ice required, no issues of ice will be allowed from subsistence funds as long as such stored ice is available.

To the Subsistence Department for the preservation of subsistence stores—

Such quantities as the commanding officer may order as necessary.

When ice plants are operated by the Quartermaster's Department the issue of ice will be made by that department upon requisitions approved by the commanding officer.

11. To each squad annually, when the necessity for the issue is certified by the commanding officer, for service in the field, 1 housewife.

1238. Such of the following-named articles as may be necessary, not to exceed in value 50 cents a month for each military convict confined at a military post without pay or allowances, will be issued by commissaries on the 15th day of each month to the officer in charge of prisoners, viz:

Beeswax.	Combs, medium.	Razor strops.
Brooms, whisk.	Handkerchiefs, cotton, blue.	Scissors.
Brushes, hair.	Mugs, shaving.	Shoestrings, linen.
Brushes, shaving.	Needles.	Soap, shaving.
Brushes, shoe.	Polish, shoe.	Thread.
Brushes, tooth.	Razors.	Toweling, unbleached.
Buttons, bone.		

Requisitions for these articles will set forth the number of military convicts present at the post, and must be approved by the post commander. The receipt of the officer in charge will be the commissary's voucher for dropping the articles from his return. No articles issued under this paragraph, except tooth brushes, buttons, shoestrings, handkerchiefs, and thread, will be carried away by military convicts when transferred or discharged. Towels used by military convicts will be laundered by those who use them. When specially authorized by the Secretary of War, the Subsistence Department will supply to posts where 30 or more military convicts are confined a sewing machine and other necessary tailors' utensils for use in mending their clothing.

Articles issued in pursuance of this paragraph will not be accounted for on property returns by officers receiving them, but will be continued in use until worn out.

1239. The following-named articles will be issued gratuitously to each recruit upon his first enlistment at a recruiting depot or upon his arrival at his permanent station:

One razor.
One brush, shaving.
One brush, hair.
One comb, medium.
One brush, shoe.
One broom, whisk.
One brush, tooth.
One housewife.
Two towels, huckaback.
One package polish, shoe, black.
One package polish, shoe, russet.
One cake soap, toilet.

These articles will be issued by the commissary on requisitions submitted by the company commander and approved by the post commander, and when the issue has been made that fact will be entered upon the descriptive and assignment card or descriptive list. The receipt of the company commander will be the commissary's voucher for dropping the articles from his returns.

1240. A recruiting officer stationed elsewhere than at a military post is authorized to purchase such of the following-named articles as may be necessary for the use of applicants for enlistment, while held under observation at a recruiting station or a station subsidiary thereto, at an expense not exceeding 70 cents a month for each station:

Brooms, whisk.
Brushes, blacking.
Brushes, hair.
Combs, medium.
Polish, shoe, black.
Polish, shoe, russet.
Toilet paper.
Towels, huckaback.
Soap, laundry, white floating.

If the recruiting officer is supplied with subsistence funds, he will pay the vouchers. If not supplied with funds, he will send the duly certified vouchers for payment to the chief commissary of the department in which the recruiting station is located.

At a recruiting station at a military post such of the above-named articles as may be necessary for use exclusively by applicants for enlistment while held under observation, and newly enlisted men awaiting transfer to permanent stations, will be issued to the recruiting officer at the post by the commissary upon requisition, approved by the commanding officer, at an expense not exceeding 70 cents a month for each station. The receipt of the recruiting officer will be the commissary's voucher for dropping the articles from his return.

Articles issued in pursuance of this paragraph will not be accounted for on property returns by officers receiving them, but will be continued in use until worn out, and the towels will be laundered at the expense of the Subsistence Department.

ISSUES OF SUBSISTENCE STORES.

1241. Subsistence will not be issued to destitute persons except when the commanding officer assumes the responsibility of ordering the issue to relieve starvation or extreme suffering. In such cases the circumstances will be fully stated in a written order, specifying the articles and quantities to be issued. This order, bearing a certificate of an officer that the stores have been issued, will be filed by the commissary, with his return of subsistence stores as his authority for dropping them.

1242. All articles of the garrison, travel, or Filipino ration due a company, or other military organization, will be retained by the commissary and credit

given to the organization for the money value of these articles at the current price of the articles; and the commissary will pay as savings to the organization commanders any excess in value of the stores so retained over those purchased by the organization.

The commanding officer will designate the periods for which ration returns are to be submitted. Immediately upon the receipt of a ration return at the commissary, duly signed and approved, the commissary will enter it, together with the actual cost of the ration as computed on the back of the ration and savings account. The stores required will be purchased from the commissary on charge sales slips, in the name of the organization, against their credit shown on the account. At the end of the month, or whenever necessary, the organization commander will settle the account at the commissary, when the savings due the organization, or the amount due the commissary, as the case may be, will be paid and the account certified as required. Money accruing from the ration and savings account of an organization will be spent only for food.

All articles of the ration required for the supply of troops will be obtained from the commissary, when on hand, except that if any organization uses during the month more of any article of the ration than is authorized by regulations such excess need not necessarily be bought from the commissary, or, if any article be not in stock, a temporary supply may be purchased elsewhere.

1243. On the first of each month, or whenever necessary, the commissary will compute on the back of the ration and savings account the actual cost of the ration in use at his post at the following rates:

Garrison ration.

	Per cent.
Beef, fresh	70
Bacon, issue	30
Flour, issue	100
Baking powder	100
Beans	50
Rice	50
Potatoes, fresh	70
Onions, fresh	20
Tomatoes, canned	10
Prunes	30
Jam	50
Apples, evaporated	10
Peaches, evaporated	10
Coffee, R. & G	100
Sugar	100
Milk, evaporated, unsweetened	100
Vinegar	50
Pickles, cucumber	50
Salt	100
Pepper, black	100
Cinnamon	100
Lard	100
Butter	100
Sirup	100
Flavoring extract, lemon	100

When a holiday occurs in any ration period and the turkey or chicken available for supply costs more than the regular meat ration the proper allowance will be made by adding to the amount due the organization for that period the product of the number of men present on the holiday multiplied by the excess cost of the chicken or turkey over the regular meat ration.

Travel ration.

	Per cent.
Soft bread or hard bread	100
Beef, corned or hash, C. B	100
Beans, baked	100
Tomatoes, canned	100
Jam	100
Coffee, R. & G.[1]	100
Sugar[1]	100
Milk, evaporated, unsweetened[1]	100

Filipino ration.

	Per cent.
Beef, fresh	70
Bacon, issue	20
Fish	10
Or—	
Canned meat	70
Bacon, issue	20
Fish	10
Flour, or hard bread	100
Baking powder, when ovens are not available	100
Rice, Filipino No. 2	100
Or—	
Rice, Saigon (when Filipino No. 2 can not be obtained)	100
Camotes	100
Mongos	100
Coffee, roasted and ground	100
Ginger root	100
Sugar	100
Vinegar	100
Salt	100
Pepper, black	100

1244. If ration and savings accounts are not paid by a commissary in the month during which they accumulated, the proper organization will be furnished with an extract of the account showing the amount due, which voucher, duly certified by the commissary and approved by the commanding officer, will be presented for payment to any commissary having funds for the purpose.

[1] When 21 cents coffee money is paid, the coffee, sugar, and milk components will not be included when computing the travel ration.

COMMUTATION.

1245. Commutation of rations may be allowed at the following rates, under the conditions mentioned, viz:

Conditions.	Rate per day each.	
	Enlisted men and nurses.	Philippine scouts.
1. To enlisted men, Philippine scouts, male or female nurses on the expiration of their furloughs or leaves, provided that on or before the last day thereof they have reported at their proper stations or have been discharged	$0.25	$0.25
2. To sergeants of the post noncommissioned staff (and enlisted men acting as such) on duty at forts and stations where there are no other troops	.75	.....
3. To an enlisted man, a Philippine scout, or a male or female nurse on detached duty, stationed in a city or town where subsistence is not furnished by the Government	.75	.50
4. To an enlisted man or a Philippine scout traveling under orders from a place or station at which his rations have been regularly commuted	1.50	.75
5. To an enlisted man or a Philippine scout traveling under orders alone, when the journey can not be performed in 24 hours and it is impracticable to carry rations of any kind (which fact must be stated in the order directing the journey)	1.50	.75
6. To two enlisted men or Philippine scouts traveling under orders as a detachment, or traveling under orders as a guard to an insane patient or military prisoner, when the journey can not be performed in 24 hours and it is impracticable to carry rations of any kind (which fact must be stated in the order directing the journey), each	1.50	.75
7. To an insane patient or military prisoner traveling under orders under guard of one or two enlisted men or Philippine scouts, when the journey can not be performed in 24 hours and it is impracticable to carry rations of any kind (which fact must be stated in the order directing the journey), to be paid on the order of the commanding officer in advance to, and to be receipted for by, the person to whose charge the patient or military prisoner is committed by the order	1.50	.75
8. To enlisted men or Philippine scouts selected to contest for places or prizes in division or army rifle competitions, while traveling under orders to and from places of contest, when the journey can not be performed in 24 hours and it is impracticable to carry rations of any kind (which fact must be stated in the order), each	1.50	.75

1246. Applicants for enlistment and recruits forwarded from recruiting stations, recruiting depots, or other military posts will be furnished the following allowances for subsistence while traveling, viz:

When 1 or 2 men are forwarded.	When more than 2 men are forwarded.
For a journey of 24 hours or less.	*For a journey of 24 hours or less.*
Travel rations, or cooked rations, to be obtained from the contractor for meals or from the company or general mess.	For a detachment of 3 or more men: Travel rations (or, if not available, cooked rations, to be obtained from the contractor for meals or from the company or general mess).
For a journey of more than 24 hours.	*For a journey of more than 24 hours.*
Commutation of rations at not exceeding 50 cents a meal ($1.50 a day) for each man.	For a detachment of 3 or more men: Travel rations if available, or, if not available, commutation of rations at not exceeding 50 cents a meal ($1.50 a day) for each man.

1247. Enlisted men, applicants for enlistment, and recruits ordered upon journeys which can be performed within twenty-four hours from the hour of starting must be subsisted during the journey upon cooked or travel rations procured for the purpose from the company kitchen, the contractor for meals, or from the commissary.

1248. Enlisted men absent under orders from their stations upon recruiting duty for not exceeding three days will be deemed to be traveling under orders

during the entire period, notwithstanding that some portion of the period may be occupied by detentions in the various towns which they visit in the performance of their duty, and their commutation of rations will be at the rate of $1.50 a day.

1249. Where meal tickets may be obtained for men traveling under orders, commanding officers may direct their use in lieu of commutation, or cooked, or travel rations, under rules published from time to time.

1250. An enlisted man not a recruit ordered, under subhead 5, paragraph 1245, will be allowed commutation of rations at the rate of 50 cents a meal ($1.50 a day) for the time actually consumed in travel. The provisions of this paragraph do not apply to travel on army transports.

1251. Commutation of rations will not be allowed to enlisted men serving where subsistence is furnished by the Government; or traveling under orders when they can carry and cook their rations, or can carry cooked or travel rations; or for the time for which meal tickets are furnished; or traveling under orders on army transports or by steamboat or steamship where the passage rates include meals; or failing to report at their proper stations on or before the last day of furlough unless discharged; or recruiting parties at their stations; nor to civil employees.

1252. An order directing the travel of an enlisted man or an applicant for enlistment will state that the journey is necessary for the public service. If it be impracticable for him to carry rations of any kind, the order will so state and will direct commutation of rations to be paid; if required to be paid in advance, the number of days will be stated.

1253. An enlisted man traveling on duty under orders on a vessel of the United States Transport Service will not be allowed commutation of rations for the time he is aboard. He will be quartered with the enlisted men aboard and will mess with them, and the proper transport officer will indorse upon the travel order in the possession of the soldier the dates between which subsistence was so furnished. The travel order so indorsed will be turned over by the enlisted man at the end of the journey to the commissary by whom commutation of rations for any portion of the journey is paid, who will file it with the voucher on which payment is made. If commutation of rations is ordered paid in advance, the probable time on shipboard must be taken into account in determining the number of days' commutation to be allowed, and the paying officer will indorse the original order and make payment on a certified copy thereof in the manner directed in paragraph 1254 for paying commutation of rations in advance.

1254. Commutation of rations allowed to an enlisted man or an applicant for enlistment while traveling, when not directed to be paid in advance, will be paid to him at the end of his journey, upon presentation of the order for the journey, with the certificate of his commanding officer thereon in the following form: "Last rationed to include ———, 19—; will leave station at ———, ———, 19—; the rations overdrawn will be deducted from the ration return of Company ———, ——— Regiment of ———, for the period from ———, 19—, to ———, 19—," and a certificate signed by a commissioned officer in the following form: "Joined station at ———, ———, 19—." The period allowed by the paying officer will be the time required over the shortest usually traveled route. If ordered paid in advance, it will be paid upon presentation of a certified copy of the order directing the payment, having thereon the certificate in the above form of his commanding officer. In this case the paying officer will indorse the date, mode, and amount of payment, over his signature, on the order which is retained by the soldier or applicant for enlistment, and certify on the copy that he has made such indorsement. The soldier or applicant for

enlistment will deliver his retained order to the commanding officer at the station where rations are next furnished. The order, or copy thereof, on which commutation has been paid will be filed as a subvoucher to the receipt roll, and the paying officer will indorse on the order, or copy thereof, the date, mode, and amount of payment.

1255. The furlough of an enlisted man will show by memorandum of his company commander to what day he was last rationed and the number of rations, if any, drawn for him previous to his going on furlough, for the time covered by the furlough, and the certificate of his company commander on the back of the furlough will show the date on which he rejoined his proper station or was discharged and that the rations overdrawn for him were duly deducted from a ration return of his company. If entitled to commutation, he will be paid by any commissary upon the presentation of the furlough containing the above memorandum and certificate. The paying officer will file the furlough as a subvoucher to his receipt roll, and indorse on the furlough the date, mode, and amount of payment. The authority under which a furlough is granted (whether under Army Regulations or in pursuance of the orders of a superior) should be cited on the face of the furlough by the officer granting it. If the period for which the furlough is given is within the competency of the authority cited, no copy of the order is needed to accompany the furlough when presented to a disbursing officer for payment of commutation of rations; but if the period is manifestly beyond the competency of the authority cited, the furlough should when presented for payment of commutation of rations be accompanied by copies of all orders in pursuance of which it was given.

1256. An enlisted man granted a furlough with permission to travel on a vessel of the United States Transport Service will be quartered with the enlisted men aboard and will mess with them. The transport officer will certify upon the enlisted man's furlough the dates between which subsistence was so furnished. In paying commutation of rations on the furlough these days will be deducted.

1257. Enlisted men discharged while serving in places outside of the States composing the Union will be provided free transportation to the said States on Government transports upon direction of the commanding officers in the several localities, and will be subsisted by the Subsistence Department to the port of destination. They will not be entitled to travel pay from port of embarkation to the United States, nor to commutation of rations for the time so subsisted on the transports. The fact that such transportation and subsistence have been furnished must be noted on the final statements.

1258. When an officer orders commutation of rations to be paid, or rations furnished to a soldier on furlough to enable him to reach his proper station, the officer paying the commutation or furnishing the rations will report the full amount paid, or the money value of the food supplied, to the soldier's company commander. Should the soldier reach his station on or before the last day of his furlough, the company commander will charge the full amount of the payment, or value of the rations, against his pay on the next muster roll and pay roll. Should he reach his post after the expiration of his furlough, and the delay be not excused, the full amount will be similarly charged. Should the overstaying of his furlough be excused, the full amount, diminished by the value of the ration, at 25 cents a day, for the number of days during which he was absent after the furlough had expired, will be charged.

1259. When a furlough is lost, a certified copy prepared by his company commander, with the soldier's affidavit stating when, where, and the circumstances under which the loss occurred, that he reported at his station on or

before the last day of his furlough or was discharged, and that no rations have been furnished nor commutation paid him for any portion of the time during which he was on furlough, may be presented within six months after the loss, through his company and post commanders, to the chief commissary for payment or other disposition.

1260. An enlisted man having a claim for commutation of rations while traveling or on furlough, and who is at a distance from a paying commissary, will be paid upon forwarding to a paying commissary his travel orders or furlough properly made out. An enlisted man on detached duty who is entitled to commutation of rations may be similarly paid upon the certificate of the officer under whom he may be serving, or if not serving under an officer, upon his own certificate, setting forth the period for which commutation is due, accompanied by a copy of the authority for its allowance, or by a reference to such authority if previously furnished.

SALES.

1261. Sales of subsistence stores (except of ice and forage for beef cattle) will be made at cost prices for cash to an officer on his certificate that the stores are for his personal or family use or for the use of an officers' mess of which he is the caterer, and will be similarly made on a certificate that they are for his or her personal use to a contract surgeon, a dental surgeon, a veterinarian, a female nurse, or a hospital matron when stationed within a military post or serving with troops in the field. Sales will also be made at cost prices for cash to a member of the immediate family of an officer, during his absence, upon a written request by him to the commissary.

1262. Sales to officers paid for within the calendar month in which made will be regarded as cash sales; if not paid for within that month, the commissary making the sale will forward an itemized statement of each account to the Commissary General for the action prescribed by paragraph 1331.

Thereafter, until evidence is furnished by the delinquent, showing payment of the amount so reported for stoppage, further sales will not be made to him except for cash upon receipt of stores.

1263. Sales of reasonable quantities of stores will be made to an enlisted man on the active or retired list, for cash, upon his declaration, in writing, that they are intended for his own use. A company, detachment, hospital, post bakery, or post exchange may purchase for cash under similar conditions and upon the certificate of the officer in charge.

1264. Sales may be made on credit to officers and enlisted men who have not been regularly paid or who are in the field. Officers will certify that the stores are for their own use and will receipt for them. Enlisted men will obtain permits from their company commanders, approved by the commanding officer. Permits will not be given to a soldier in excess of the unencumbered pay due to him nor in any month in excess of his monthly pay. Such of the following-named articles as may be needed by him may be furnished to a recruit on credit, viz: A hand basin, a pipe, a button stick, a gun brush, a button brush, a box or bottle of tooth powder, a package of tripoli powder, and not to exceed 1 pound of tobacco.

1265. An officer purchasing subsistence stores on credit will furnish to the commissary making the sale a receipt in duplicate setting forth the place and date of purchase, the name of the commissary who made the sale, and the money value of the stores so purchased. One copy of the receipt will be forwarded by the commissary to the paymaster who pays the officer, or to the chief paymaster of the department, and will be filed with the pay voucher on

which collection is made. The duplicate receipt will be filed by the commissary with his retained abstract of subsistence stores sold. The names of the officers purchasing subsistence stores on credit, the organizations to which they belong, and the money value of the stores so purchased will be entered on the abstract of subsistence stores sold.

1266. Exceptional articles of subsistence stores called for by officers and enlisted men to be paid for by them regardless of condition upon arrival at posts may, under such instructions as to purchase and accountability as may from time to time be given by the Commissary General, be purchased and turned over to the Quartermaster's Department for transportation to the posts where desired.

1267. Civilians employed with the Army, including those expressly employed for their services as tailors, shoemakers, and laundrymen, may be allowed, at remote places or in the field where food can not otherwise be procured, to purchase from the Subsistence Department, in limited quantities for their own use, for cash, at cost prices, such articles of the ration or of stores kept for sales to officers and enlisted men as can be spared from the supplies on hand.

1268. Articles purchased by the Subsistence Department by net weight will be sold at net weight at the time of sale. Where the weight of a wrapper or cover at the time of purchase was included in the weight of an article it will be included in the weight when the article is sold. Articles in cartons, packets, or sealed cans will be sold as purchased.

1269. Post commanders will regulate sales and delivery of supplies. Selling (except by the post exchange) or bartering of supplies purchased or drawn from the commissary is forbidden.

1270. The commanding officer of a post at or near which the immediate family of an enlisted man who is absent abroad resides may, if the residence and other conditions of such family make it proper, grant to the head thereof permits to purchase from the Subsistence Department at the post, for cash, at cost prices, such quantities of subsistence stores as in his opinion may be reasonably needed for the sole use of the soldier's immediate family. The total amount of subsistence stores so sold to soldiers' families will be entered by the commissary in a separate item on the abstract of sales each month.

1271. The commissary who extends credit to an enlisted man will furnish to the commanding officer of the company or organization to which the man belongs a statement of the amount due from the soldier. The company or other commander will charge the amount due on the next pay roll and on subsequent rolls until the amount shall have been collected. The commissary will file with his retained papers all permits for sales to enlisted men on which credit sales have been made in the month to which the papers pertain. If a member of an organization or a recruit leaves his organization or a recruiting depot before the money value of the articles furnished to him on credit shall have been collected, the amount due in each case, the place where, and the month and year in which the indebtedness was contracted will be noted on the descriptive list or descriptive and assignment card. Pay rolls upon which any subsistence charges have been made, when forwarded to the paymaster, will be accompanied by a report of all such charges, showing in each case whether the charge is for credit sales, refundment of commutation of rations, or other subsistence account, and the place where and the month and year in which the indebtedness was contracted. When a statement of credit sales is furnished by the commissary, the company or other commander will note thereon any additional subsistence charges appearing on the pay rolls and forward the completed statement as directed in this paragraph. This report, after collections shall

have been noted thereon, will be forwarded by the paymaster to the Commissary General, who will transmit it as soon as practicable to the Auditor for the War Department.

1272. Sales will be consolidated monthly on an abstract. The commanding officer will satisfy himself that the purchases have been properly authorized and duly made and will so certify on the abstract. The abstract accompanying the commissary's account current will serve as a voucher to the account current, as well as to the officer's return.

1273. The price at which subsistence stores may be transferred, or sold to officers and enlisted men, is the invoice price of the last lot of the same variety of subsistence stores received by the officer making the sale or transfer, prior to the first day of the month in which the sale or transfer is made; but (1) the prices at a post or depot or at the office of a purchasing commissary will not be affected by transfers thereto from military posts, or from stations about to be abandoned; (2) stores purchased at a military post or station will be sold at and invoiced therefrom at the purchase price; (3) if two or more lots of the same variety of article are received on one invoice, or on the same date at different prices, the unit price to govern will be determined by dividing the total value of such lots by the total quantity of the same; (4) the equalization of prices among several varieties of the same article is not authorized, as in the case of several kinds of smoking tobacco, cigars, crackers, etc.; (5) if a commissary who has received an invoice of stores during the current month is relieved before the end of that month, he will invoice to his successor the stores so received at their actual invoice price, although the current selling price of such stores will continue until the beginning of the next month. On the first day of each month a price list will be prepared at each station where sales are made, one copy to be furnished to the commanding officer and one to be posted in the salesroom.

1274. The commissary will be accountable for and will carry on his returns all cooking apparatus supplied by the Subsistence Department, and will furnish to commanding officers of organizations and detachments the necessary authorized articles of the same on approved requisitions, the issues to be made on memorandum receipts. Bake ovens will be dropped from his return when permanently installed at posts.

BLANK FORMS.

1275. Blank forms will be furnished to commissaries on periodical requisitions sent direct to the Commissary General. Officers at posts will obtain them from the post commissaries.

ARTICLE LXXVI.

PAY DEPARTMENT.

NOTE.—Regulations for the government of the Pay Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Paymaster General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

GENERAL PROVISIONS.

1276. The Pay Department has charge of the supply and distribution of and accounting for funds for the payment of the Army, and such other financial duties as are specially assigned to it.

1277. The chief paymaster of a command, under the direction of its commander, will have control of all paymasters therein, and be responsible for the payment of the troops of the command.

1278. In payments to officers and enlisted men, the days of commencement and expiration of service will be included. When service begins on the 31st day of a month, pay will not be allowed for that day.

PAYMENTS TO OFFICERS.

1279. Officers will be paid monthly on accounts certified by themselves according to prescribed forms.

1280. An officer of the Army will be paid within the limits of his department, and, as far as practicable, by the same paymaster, unless he is on leave of absence or detached duty beyond the limits of his department, or shall have transferred or disposed of his accounts as provided in paragraphs 1281 and 1282, or has the authority of the Paymaster General for payment elsewhere. A retired officer will be paid in the department in which he resides unless he shall, for special reasons, desire to be paid elsewhere, when he will obtain the authority of the Paymaster General for such payments.

1281. An officer may forward his pay account to a paymaster before maturity, the amount to be remitted to the officer when due, or placed to his credit with a bank if the account is so indorsed, but an officer will not hypothecate or transfer an account not actually due. When due it may be transferred, when the following form of indorsement will be strictly observed:

Transferred this —— day of ———, 191—, to ————————————————————

———————————————————————————————

and the chief paymaster at ———————— has been so notified.

(Signature) ——— ———,

————————.

When an account is so transferred, the officer will notify the chief paymaster of the department in which he is stationed, or the paymaster who has been authorized by the Paymaster General to pay his accounts, and will instruct the person or persons to whom the account may be transferred to forward it to such paymaster for payment. A transferred account will not be paid outside of the department in which the officer is regularly paid except when it is transferred for the benefit of his family residing in another department, in which case the officer will send the notification, through the office of the chief paymaster of the department in which he is usually paid, to the chief paymaster of the department in which the payee resides; the former to forward with the notification any information he may have affecting the validity of the account.

1282. An officer about to embark for service beyond the sea and desiring to make provision for himself or his family in the United States, may send to the paymaster nearest the address of the payee such full monthly accounts as he may elect, indorsing them as follows: "When due pay to ————————," or, "When due place to the credit of ——— with ———," or, "When due place to my credit with ———." Such paymaster will immediately notify the chief paymaster of the department where the officer is to serve, of the months for which accounts have been so received, and will then pay them as they become due if the casualty list and stoppage circular show no bar to payment. Should an officer already in service beyond sea desire to have his accounts paid as described, he will forward them, through the chief paymaster of the department where he is serving, to the paymaster whose station is nearest the address of the payee, and the former will make a record of the accounts so forwarded. In either case the officer will, at the time of forwarding the accounts, notify the Paymaster General of the months covered thereby, with the name and address of the person to whom payment is to be made, or forward the accounts through the office of the Paymaster General.

1283. A person appointed to the Army, or receiving an appointment to a new office therein, is entitled to pay from date of acceptance only. If the appointment creates vacancies to be filled by promotion, the promoted officers are entitled to pay of the new grade from the date of acceptance of the appointee. In all other cases of promotion the officer is entitled to pay from date of the occurrence of the vacancy.

1284. An officer of the Army appointed to a grade in the volunteers or militia in the service of the United States superior to that held by him in the Army will be entitled to the pay and emoluments of the grade to which appointed from date of acceptance of such appointment or from date of muster in thereunder.

1285. An officer who resigns, is dismissed, honorably discharged, or wholly retired, will forward his pay account (Form 3) to the Paymaster General, who will cause a certificate of nonindebtedness to be obtained and the account settled. An officer who has served in the Philippine Islands will procure a certificate of nonindebtedness from the Insular Auditor prior to departure from the islands, this certificate being an indispensable prerequisite to the settlement of an officer's final accounts with the Government.

1286. An officer whose resignation is accepted while he is on leave of absence will receive pay to include the date of acceptance; if accepted while he is on duty, he will receive pay to include the date he receives notice of its acceptance, or if sooner relieved from duty, to include the date of relief. An officer whose resignation takes effect at a future date is entitled to pay to include that date.

1287. An officer placed upon the retired list will receive active pay to include the date of retirement, and the pay of a retired officer thereafter. If on duty, he will receive active pay to include the date of receipt by him of notice of his retirement.

1288. An officer dismissed by sentence of court-martial will be paid to include the date of termination of service as specified in the order promulgating the sentence.

1289. Contract surgeons and dental surgeons must present their contracts to paymasters when applying for payment of salaries, and paymasters will indorse thereon date and period for which paid. If a contract surgeon on foreign service desires to have his accounts paid in the United States, the months for which such accounts have been transferred will be indorsed on the contract by a paymaster or the commanding officer, who will also indorse on each voucher "Transfer noted on contract (signature)," and such accounts will not be paid unless so indorsed.

ADDITIONAL PAY.

1290. To entitle an officer to additional pay under the acts of April 26, 1898, and May 26, 1900, for exercising a command above that pertaining to his grade, he must have exercised such command of troops operating against an enemy for a period of three months or more continuously, in obedience to orders issued by superior authority which he was bound to obey, and no pay or allowances as of a higher grade than that actually held by an officer will be paid him under this regulation unless a certified copy, in duplicate, of such order, accompanied by a statement of service thereunder, is filed with the paymaster.

1291. The 10 per centum allowed by law to officers serving beyond the limits of the United States and Territories contiguous thereto, except Hawaii and Porto Rico, will be paid on their regular monthly pay vouchers, which will be made up to include the entire compensation, of whatever character, which may be due the officer for the calendar month, or months, included in the accounts. There will be noted on the pay accounts the numbers and dates of orders or any other facts which affect the officer's pay status for the period covered by the accounts presented for payment.

1292. An acting commissary will be paid the additional pay allowed by law, on the certificate of the Commissary General that he has performed the duty contemplated therein during the time charged. To entitle him to this pay he must be detailed under proper orders from some established post or body of troops, and must issue full rations to troops from stores for which he is responsible. A regimental, squadron, or battalion commissary is not entitled to this additional pay.

1293. No officer shall receive pay for two staff appointments for the same time. This prohibition does not prevent a quartermaster of a regiment, who, in addition to the duties of his office, may be acting commissary, from receiving the extra compensation allowed by law for performing the duties of the latter.

1294. In computing longevity pay, service performed as cadets at the United States Military or Naval Academy, or as enlisted men of the Army or Navy, will be counted.

MOUNTED PAY.

1295. The officers on the active list hereinafter designated are required to be mounted: All officers of the General Staff Corps; officers of the staff corps and departments, whether permanent or detailed; officers of cavalry; officers of field artillery; authorized aids duly appointed; regimental and battalion staff officers; acting judge advocates detailed under the act of Congress approved February 2, 1901; all officers above the grade of captain, whatever their arm or corps; chaplains of all grades; officers temporarily attached to staff corps or to organizations of cavalry, field artillery, and mounted infantry; regularly detailed assistants to the Chief of Coast Artillery; the authorized staff officers of artillery districts; officers serving as military attachés to the embassies and legations of the United States at foreign capitals; instructors and student officers at the Army School of the Line, the Army Signal School, the Army Staff College, and the Army War College; officers on duty in the department of tactics and in the department of practical military engineering, military signaling and telegraphy at the United States Military Academy.

In addition to the foregoing, officers not ordinarily required to be mounted may be temporarily placed upon duty that shall require them to be mounted. This may be done by the Secretary of War, the commander of an army, army corps, or of a territorial division or department; the order in each case will state that the duty therein assigned to the officer requires him to be mounted.

1296. Officers below the grade of major, required to be mounted, whether permanently or temporarily, will be furnished with a proper mount by the Quartermaster's Department. Such officers may, however, provide themselves with suitable mounts at their own expense and of their exclusive ownership, and any officer of the grades indicated who so provides himself shall receive an addition to his pay of $150 per annum if he provides one mount and $200 per annum if he provides two mounts. An officer claiming additional pay for providing his own mount must personally certify on each account that he was suitably mounted at his own expense, and is the actual and exclusive owner of the mount or mounts in question, specifying the place at which maintained. In case an officer is only temporarily upon duty requiring him to be mounted, the authority by which he was placed upon such duty must accompany his first voucher and be cited upon subsequent vouchers upon which additional pay is claimed accompanied by a certificate that he has continued under the authority cited upon the mounted duty in question.

The officer's certificate upon his pay accounts will be the evidence upon which paymasters will base their payments of additional pay for mounts, until in-

formation is received by them from proper authority that such additional pay is to be stopped.

1297. Officers below the grade of major providing their own mounts do not forfeit the right to additional pay by reason of absence on account of sickness or on ordinary leave, nor will the mere fact that such officers are detached for a purely temporary period from the stations where their mounts are kept deprive them of their right to the additional pay so long as the horses are actually and exclusively owned and kept for their use in the military service at their regular stations. In all other cases the right to the additional pay accrues only where the mounts are actually available for use at the station where the officer is serving.

PAY DURING ABSENCE.

1298. In determining the period for which an officer is entitled to full pay on leave, time within four successive leave years, terminating with the one in which absence is taken, will be considered. If the absence does not cover the entire period for which full pay is allowed, the balance thereof will be placed to the officer's credit as belonging to the last year or years of the four considered and may be made available for future leave.

1299. The leave year is reckoned from July 1 to the following June 30, both inclusive. In computing leave of absence expressed in days during any leave year, every day of such absence will be counted; but in aggregating such absence thirty days, whether consecutive or otherwise, will be regarded as a month's absence. Leave expressed in months will be counted in months.

1300. Leave of absence may be granted by the Superintendent of the United States Military Academy, under regulations prescribed by the Secretary of War, to the professors, assistant professors, instructors, and other officers of the Academy for the entire period of the suspension of the ordinary academic studies, without deduction from pay or allowances. Similarly officers in charge of service schools may grant leaves of absence to officers on duty exclusively as instructors at such schools.

1301. An officer ordered to temporary duty while on leave will be regarded as on duty from the day on which he receives the order. When the duty is to be performed at a future date he will be on duty from the date on which he starts to obey the order. The date of the receipt of the order in the first case, and the date of departure in the second, will be promptly reported to The Adjutant General of the Army. When relieved from such duty, or on the completion thereof, he reverts to the status of leave and will be credited with the time on duty under such order.

MILEAGE.

1302. When an officer travels under competent orders he will be entitled to reimbursement as follows:

1. When traveling without troops by land, except within the geographical limits of the Territory of Alaska, or in the Philippine Archipelago, in the Hawaiian Archipelago, in the home waters of the United States, or between the United States and Alaska, by mileage at the rate of 7 cents a mile, and no more, for the distance between the points named in the order for the travel, such distance to be computed over the shortest usually traveled routes, with deduction as hereinafter provided.

2. When traveling without troops within the geographical limits of the Territory of Alaska, in the amount of actual expenses only, not to exceed $4.50 a day and cost of transportation when not furnished by the Quartermaster's Department, to be paid upon proper vouchers duly itemized and supported by receipts where it is practicable at the time to obtain the same.

3. When traveling with or without troops, by sea, in the amount of actual expenses.

4. Officers who so desire may upon application to the Quartermaster's Department be furnished under their orders transportation requests for the entire journey by land, exclusive of sleeping and parlor car accommodations, or by water; and the transportation so furnished shall, if travel was performed under a mileage status, be charged against the officer's mileage account, to be deducted at the rate of 3 cents a mile by the paymaster paying the account, and of the amount so deducted there shall be turned over to an authorized officer of the Quartermaster's Department 3 cents a mile for transportation furnished, except over any railroad which is a free or 50 per centum land-grant railroad, for the credit of the appropriation for the transportation of the Army and its supplies.

5. When the established route of travel shall, in whole or in part, be over the line of any railroad on which the troops and supplies of the United States are entitled to be transported free of charge, or over any 50 per centum land-grant railroad, officers traveling as herein provided for shall, for the travel over such roads, be furnished with transportation requests exclusive of sleeping or parlor car accommodations by the Quartermaster's Department. When transportation is furnished by the Quartermaster's Department, or when the established route of travel is over any of the railroads above specified, there shall be deducted from the officer's mileage account by the paymaster paying the same 3 cents a mile for the distance for which transportation has been or should have been furnished. Travel in the Philippine Archipelago, the Hawaiian Archipelago, and the home waters of the United States is confined to travel in which both termini of the journey are in one of the above places.

1303. Actual expenses only will be paid to officers for sea travel when traveling under competent orders, with or without troops, and the amount so paid shall not include any shore expenses at port of embarkation or debarkation. Travel in the Philippine Archipelago, the Hawaiian Archipelago, in the home waters of the United States, and between the United States and Alaska is not regarded as sea travel.

An itemized statement of such expenses will be filed with each voucher for payment, using the following as a basis of what is allowable:

1. Fares upon commercial steamers or other usual modes of conveyance by sea, and the cost of transportation for self and baggage, by boat or lighter, to and from vessels when voyages are not begun or ended at docks and a charge in addition to the cost of passage is made therefor.

2. Cost of customary stateroom accommodations on commercial steamers when the same is not included in the charge for passage.

3. Hire of special water transportation when there are no regular means of conveyance.

4. Actual cost of meals for the time actually and unavoidably consumed in the voyage when the same is not included in the charge for passage. Amount of rent of steamer chair, not exceeding $1 for trips of two days or longer on each commercial steamer, and fees to cabin and other stewards not exceeding the following: Six days or less on the Atlantic Ocean, $1.50 a day; seven to ten days, not exceeding $10; eleven to fifteen days or longer, $1 a day; total not exceeding $15. On the Pacific Ocean, fifteen days or less, $1 a day; total fees for fifteen days or longer not exceeding $15. To the West Indies, Cuba, Porto Rico, Panama, and to South American ports, $1 a day; total fees for fifteen days or longer, not exceeding $15. From the Orient to the United States, via Suez, not exceeding $25.

5. When transhipping at an intermediate port, as a necessary incident to a continuous voyage, the actual cost of meals and lodgings, including baths, at

hotels, not exceeding $6 a day, transfer of self and baggage from dock to hotel and from hotel to dock, and fees to porters for handling baggage, not exceeding $2 for each transfer, and fees to waiters and bellboys at hotels, not exceeding 50 cents for each day.

The officer will certify on the itemized statement that the account is correct and just, and that the amounts charged therein were actually paid by him. Subvouchers, properly receipted, will be required for items of board and lodging at hotels. When not practicable to obtain such subvouchers, the officer will so certify. The payment of fees to cabin or other stewards or the rent of steamer chairs when traveling on Government transports is not authorized. Accounts for reimbursement for items not authorized herein or in excess of the amounts stated will be forwarded to the Paymaster General of the Army to be submitted to the Secretary of War for his consideration and approval before payment.

1304. "Traveling with troops" will be regarded as covering all cases of officers included in orders for movement, in whatever manner, of their appropriate commands, or in orders for movement of detachments, escorts, or stores, which proceed by marches or by transportation belonging to or especially hired for the purpose by the United States, the idea being that in marches the officers should move as do the troops and that where transportation is specially devoted to the movement it is sufficient for all included therein. But the term will not be regarded as covering cases of officers included in the movement by railroad, stage, or like established lines of conveyances, of detachments of less than ten armed or unarmed men, such as guards and nurses for disabled or insane officers or soldiers, or recruiting parties and escorts for inspectors, paymasters, and others, or the public funds or property in their charge.

1305. In the settlement of the mileage account of an officer, distances will be determined and deductions computed over established routes and from mileage tables prepared under the direction of the Secretary of War by the Paymaster General; and all payments made by paymasters on account of mileage will be determined in accordance with distance tables officially promulgated and in use at the date of beginning of the journey. Exception to this rule will be made only when the terms of the order, or the impracticability of the shortest usually traveled route, compel the officer to take a longer route, in which case mileage will be computed over the route actually traveled.

1306. Mileage will be paid by the chief paymaster of the department in which the journey is completed. The foregoing will not apply to journeys in which delays at intermediate points occur and afford opportunity for the collection of mileage for travel performed to such points.

1307. No portion of the appropriation for mileage to officers shall be expended for inspections or investigations except such as are especially ordered by the Secretary of War, or such as are made by army and department commanders in visiting their commands, and those made by the Inspector General's Department in pursuance of law, Army Regulations, or orders issued by the Secretary of War; but the commanding general of the Philippines Division may issue orders in the name of the Secretary of War involving travel to investigate claims for property, damages, buildings, and other property and important investigations in the Philippine Islands.

1308. To entitle an officer to mileage, the order for travel must be issued previously to commencement of the journey, except when the urgency of the duty prevents the obtaining of previous orders, in which case the travel must be confirmed in orders. Both directory and confirmatory orders will state the specific duty enjoined, recite that the travel is necessary in the military service, and direct the officer to return to his station upon completion of the duty as-

signed, if such return is contemplated. Confirmatory orders should recite the authority, oral or otherwise, under which the travel was performed, or state that the urgency was such as to prevent the obtaining of orders in advance.

1309. Commanders of artillery districts have no authority to issue orders to officers carrying mileage to and from posts within the districts under their command.

1310. Orders will not prescribe lines of travel, except when necessary, and then the reasons will be set forth in the order.

1311. The original order, or certified copy, including indorsements, will accompany each voucher for mileage, and when transportation in kind has been furnished for the whole or for any part of the distance actually traveled, the order must be indorsed by the quartermaster issuing the transportation, showing between what points and over what route such transportation was furnished.

1312. When an officer on leave of absence is ordered to rejoin his station, he will not be entitled to mileage unless the public service requires the performance of duty en route, in which case the order will specify the duty, the necessity therefor, and the points at which the duty will begin and end.

1313. When an officer is ordered, while on leave of absence, to accompany a detachment of recruits and on the completion of this duty to join his station, he returns to a status of leave as soon as relieved from duty with the recruits, and will proceed to join his station without expense to the Government, unless the distance he may have to travel without troops should be in excess of what it would have been had he not received the order. For such excess distance he is entitled to mileage.

1314. An officer on leave of absence, ordered to temporary duty, involving travel without troops, will receive mileage from place of receipt of order to place of performance of duty, and also for the return journey to place of receipt of order, provided he makes such return journey.

1315. When the station of an officer is changed while he is on leave of absence, he will on joining the new station be entitled to mileage for the distance to the new station from the place where he received the order directing the change, provided the distance be no greater than from the old to the new station; if the distance be greater, he will be entitled to mileage for a distance equal to that from the old to the new station only.

1316. An officer under orders to change station without troops who takes advantage of a leave of absence before he joins his new station is not deprived of the mileage to which he would be entitled had he not availed himself of the leave. The leave of absence merely suspends the execution of the order for change of station, and at the expiration of the leave the officer comes under operation of the order, and in obeying it is entitled to full pay for the time necessary to perform the journey from his old to his new station.

1317. An officer relieved from duty at a station and granted leave of absence before assignment to another, who receives an order of assignment before expiration of leave, is entitled to mileage from the place where he receives the order to his new station.

1318. An officer traveling on duty in connection with public works (not arsenals, military surveys, or explorations) will receive travel allowances from the appropriation for the work, but if there be no appropriation, he will receive mileage from the Pay Department.

1319. The following are entitled to mileage to their first stations: Officers of the Medical Corps, officers of the Medical Reserve Corps, contract surgeons, and dental surgeons, from place of appointment; graduates of the United States Military Academy, from West Point; officers appointed from the ranks, from place of discharge as enlisted men.

1320. In the following cases mileage is not allowed: In joining for duty upon first appointment to the military service from civil life; or under the first order after a reinstatement or reappointment; or under an order to effect a transfer from one company or regiment to another, made at the request of the officers transferred; or insane officers sent under escort to the Government Hospital for the Insane; or sick officers transferred from one hospital to another.

1321. Allowances for travel of officers or enlisted men summoned to appear and testify before committees of Congress, or before the courts of a State or Territory, are not proper charges against the appropriations for the support of the Army. Military persons so summoned must seek reimbursement for their expenses of travel from the committee or court which summoned them.

COMMUTATION OF QUARTERS.

1322. An officer on duty without troops at a station where there are no public quarters, or where the public quarters are inadequate, is entitled to commutation therefor.

1323. Officers on duty in the War Department, at army and other general headquarters, attending surgeons and other officers on duty in cities and other places where public quarters are not furnished, but where enlisted men are on duty only as guards, orderlies, clerks, and messengers, and recruiting officers at city stations, are regarded as being on duty without troops within the meaning of the laws and regulations.

1324. An officer on duty at a station where he is properly in receipt of commutation of quarters is entitled to the allowance during ordinary leave on full pay, but not during sick leave. If he is relieved from duty at the station and then avails himself of a leave, his commutation ceases.

1325. An officer does not lose his right to quarters or commutation at his permanent station by a temporary absence on duty. While he continues to claim and exercise that right he can not legally demand quarters or commutation thereof at any other station.

The mere fact that an officer's family or his household goods are permitted by proper authority to remain in quarters at a military station, does not prevent the assignment of quarters to him where he is actually serving, or debar him from commutation if he is on duty without troops at a station where there are no public quarters. In these exceptional cases commutation of quarters will be allowed only on the approval of the general commanding the troops in the Philippine Islands in cases arising in his command; in all other cases on the approval of the Secretary of War after recommendation by the department commander. Vouchers in such cases must show the approval of the proper authority and that the officer has been on duty without troops at a station where there are no public quarters.

1326. When the command to which an officer belongs changes stations during his temporary absence on duty he loses his right to quarters from the time his command leaves its old station and does not acquire a right at the new station until he has reported for duty thereat. He is entitled in the meantime to quarters or commutation therefor at the station where he is temporarily serving.

1327. An officer upon being relieved from duty at one station where he was entitled to commutation of quarters, and assigned to another station, is not entitled to such allowance from the date of departure from the old station, in accordance with his relief orders, to the date on which he reports in person at the new station.

1328. Officers who, for the convenience of the Government, are directed to await orders for a limited period at a point where there are no public quarters

are entitled to commutation; but an officer ordered to his home to await orders is not entitled to this allowance. An officer ordered to report by letter to a superior does not become entitled to commutation of quarters until he receives a specific order of assignment and reports in person at the station to which assigned.

1329. Officers on duty at colleges where no public quarters are furnished by the United States are entitled to commutation, subject, in respect to retired officers, to such limitations and restrictions as are prescribed by law.

1330. The first voucher for commutation of quarters at any station must be accompanied by a copy of the order assigning the officer to duty thereat. In subsequent vouchers the paymaster will refer by number, etc., to the voucher with which the order is filed, and the final voucher must be accompanied by the authority for, and must show the date of relief from, such duty.

STOPPAGES.

1331. When an officer has been overpaid, or is indebted to the United States for money or property, or has failed properly to account for the same, the chief of the bureau concerned will promptly notify him of the amount of his indebtedness or his failure to account. If after such notice he does not refund, or make satisfactory explanation, or take proper action within a reasonable time, the matter will be reported to the Secretary of War.

1332. On the order of the Secretary of War, stoppages may be made against the pay of officers for overpayments, illegal disbursement, or loss through fraud or neglect of the public funds, and for deficiencies in, loss of, or damage to, military supplies, unless proof be furnished that the deficiency, loss, or damage was not occasioned by any fault on their part.

1333. The notice of stoppage of officers' pay will be prepared in the form of a monthly circular to paymasters, advising them of stoppages outstanding at its date. This circular will be submitted to the Secretary of War for his approval prior to its publication. When an officer's name is borne thereon, no payment of salary will be made to him which is not in accordance with the stoppage entry made against his name.

1334. Overpayments to an officer will be deducted on the first payment after a notice of stoppage against him is received, even if the pay accounts have been assigned; the assignee takes the account subject to all risks of stoppage.

PAYMENT OF CADETS.

1335. Payment on pay rolls and final accounts will be made to the cadets at the United States Military Academy by a paymaster, who will turn over the net amount of the rolls and accounts to the treasurer of the Academy.

1336. Cadets upon being discharged from the service are not entitled to mileage, but to actual expenses to their homes, paid by the quartermaster of the United States Military Academy.

1337. Graduates of the United States Military Academy are entitled to full pay from the date of graduation to the date of their acceptance of and qualification under their commissions, and during their graduation leave.

Should a graduated cadet be discharged after graduation but before being commissioned, he will be entitled to the pay of a cadet after graduation until date of discharge.

PAYMENT OF ENLISTED MEN.

1338. Troops will be paid every month unless circumstances prevent, in which case the paymaster charged with the payment will immediately report the facts, through his chief paymaster, to the Paymaster General.

1339. Payments will be made as soon after the close of each month as practicable.

The troops at posts where paymasters are stationed and others in their immediate vicinity, to be designated in instructions issued from the War Department, will be paid by paymasters in person.

For posts at which payments are not required to be made in person, the paymaster will transmit by registered mail or express the pay due in one or more of the following ways:

1. By individual check, payable to the order of each man, for the exact amount due.

2. By inclosing in a separate sealed envelope the exact amount in currency due each soldier, with his name and the amount inclosed marked thereon.

Troops in the field will be paid by paymasters in person, unless instructions to the contrary are given by proper authority.

1340. So far as relates to disbursements in the Philippine Islands and other places, including Alaska, beyond the boundary of the States composing the Union, and for the convenience of the paymaster in obtaining ready money, as well as for the accommodation of both officers and men at such distant places, a check may be drawn for a portion of the pay due the soldier (or officer), in which case it will be drawn in favor of the soldier (or officer), and the object or purpose will be stated as "part pay for month of ———;" if for any sum which the soldier (or officer) may desire in exchange for money after he has been paid, the check will be drawn by the paymaster in favor of himself and indorsed by him payable to the order of the soldier (or officer), and the object or purpose will be stated as "to obtain cash to make payments at a distance from a depositary." In this case the data on the check stub will be the same as on the check to which it relates, including the name of the soldier (or officer) to whom the check is indorsed by the paymaster.

1341. Calculations on the pay rolls are made by the paymaster and copied on the retained roll by the company or detachment commander, who will certify that he witnessed the payment, and will enter thereon the name of the paymaster and date of payment.

1342. All enlisted men present will receipt one of the triplicate rolls for the amount due to them, except when it is known that payment will be made by check, in which case signatures will not be required. Witnessing officers will see that the soldiers' signatures correspond with their names as borne on the roll, and when a soldier can not write he will receipt by his mark, which will be witnessed by a commissioned officer, or, in the absence of a commissioned officer, by a contract surgeon. Duplicate copies of the rolls will then be forwarded by the commanding officer to the paymaster designated to pay the command.

1343. If the payment is not to be made by the paymaster in person, the commanding officer, when forwarding the rolls, will furnish the paymaster with the name, rank, etc., of the officer designated to see that the men of the command are paid, and at the same time will state what part of the pay can conveniently be received by the men in individual checks and cashed at or near the post without discount, designating the location of depositary on which it is desired that the checks should be drawn, and whether it is desired that the checks be sent by mail or by express. The remainder of the pay will be sent in envelopes.

1344. The paymaster, as far as practicable, will draw the checks on the depositary designated; the checks, when not sent by mail, and the money for each organization will be inclosed in separate packages properly marked, and the whole will be consolidated into one package and forwarded by express to the post commander. One of each of the company or detachment rolls, extended to show the amounts to be paid, will be returned to the commanding officer and by him sent to the proper company commanders.

1345. The paymaster, in the presence of at least one witness, will personally place in each envelope the exact amount of money due the soldier, seal the same, see that the name of the soldier and amount inclosed are marked on the envelope, and that the individual checks and the sealed envelopes are inclosed in one sealed package, upon the outside of which will be indorsed—

1. Name of the organization.
2. Number of checks inclosed.
3. Number of sealed envelopes inclosed.
4. Total amount of pay due and remitted, less deposits, $———.
   a. By check———— $———.
   b. By currency———— $———.
5. Signature of the paymaster.

All the packages containing checks and sealed envelopes for the several organizations, completed and indorsed as above, will be made up into one parcel and sealed by the paymaster. Upon the outside will be marked the name and address of the post or other command and the names of the subordinate organizations for which pay is therein remitted, and the paymaster will append thereto his signature.

1346. The consolidated package thus marked and addressed to the commanding officer will be turned over to the quartermaster, who will forward the same by express to its destination.

The following are specimen indorsements:

FOR THE COMMANDING OFFICER, FORT LEAVENWORTH, KANS.

Contents of this package.

The pay, less deposits, due for month of September, 1896, for—

N. C. O. and band, 20th Infantry.
Co. A, " "
" B, " "
" C, " "
" D, " "
" E, " "
" F, " "
" G, " "
" H, " "
Troop A, 6th Cavalry.
" B, " "
" C, " "
" D, " "
Hospital Corps Detachment.
Post N. C. Staff.

In making up the contents of this package the provisions of paragraph 1345 of the Army Regulations have been complied with.

JOHN SMITH,
Major and Paymaster.

———

Pay for Troop F, 8th Cavalry, September, 1896.

Contents.

43 sealed envelopes———— $1,000.00
17 checks———— 563.18

60 remittances———— 1,563.18

JOHN SMITH,
Major and Paymaster.

———

Private Joseph Thompson, Co. A, 20th Infantry.

Contents.

$14.75 in currency.

1347. At places beyond express delivery the post commander, when notified by the paymaster that funds sent by express are to be expected, will send an officer with a suitable escort to receipt for the express package and convey the funds to the post. The name of the officer authorized to receipt for the package will previously have been reported to the paymaster.

1348. When the express package is received at the post it will be opened in the presence of witnesses by the commanding officer, who will observe the condition of the seals, verify the number of company and detachment packages, and see that the marking upon them conforms to these instructions. The separate sealed packages containing the pay for the several companies and detachments will then be delivered to the officer designated to pay the command, for distribution, which will be made as soon as practicable thereafter; but in no case will such distribution be deferred more than twenty-four hours. The commanding officer will be responsible for the safe-keeping of the packages of funds from the time of their receipt at the post until they have been thus turned over for distribution.

1349. When a company or detachment is paraded for pay, the officer designated to pay the command will open the package containing the pay for that company or detachment in the presence of at least one witness, who shall be a commissioned officer; or, in the absence of a commissioned officer, the verification and delivery may be witnessed by a contract surgeon. The number of checks in the package and the number of sealed envelopes purporting to contain the pay of individual soldiers will be counted, and the agreement of this number with the record made by the paymaster upon the wrapper will be verified by both officers, and the amount marked on the sealed envelope as the pay due each man will be verified by comparison with the pay roll before the distribution begins. As each man's name is called the check drawn to his order will be given to him, or the envelope bearing the man's name will be opened, its contents verified by comparison with the marks on the envelope or with the pay roll, and the money handed to the soldier by said officer, all in presence and under the personal observation of the officer designated to witness the payment.

1350. Should there be a deficiency it will be so certified on the roll by the paying and verifying officers, and the envelope will be resealed without taking anything from it, and returned to the paymaster unless the amount should be offset by finding a surplus in another envelope. Should there be an excess the surplus will be returned to the paymaster. In each case a statement of the facts, with appropriate certificates, will be sent to the paymaster by the commanding officer.

1351. In case of error or informality a statement of the facts as found to exist will be immediately indorsed upon the envelope or wrapper, as the case may be, and the officers present will certify to the correctness of the statement and lay the same before the commanding officer.

1352. The copy of the pay roll of each organization, which the paymaster is required by paragraph 1344 to return to the post, will be reforwarded to the paymaster by the commanding officer, without delay, after the payment is completed.

1353. Should any error or informality be discovered in a check it will be returned to the paymaster, who will correct the same and return it with the least practicable delay. The roll will be returned to the paymaster after payment of the company with a note thereon, verified by the witnessing officer, stating the facts as to the erroneous check. The receipt of the corrected check will be certified by the company commander to the paymaster, who will file such certificate with the pay rolls.

1354. Should the bank or person who cashes the individual check so desire, the company commander will certify to the correctness of the indorsements made by his men upon their respective checks.

1355. An officer commanding a company or detachment at the time of payment will sign the prescribed certificate as to witnessing the payment, printed on the pay roll, and, when requested to do so by the paymaster, will certify that the paymaster's retained roll is a true copy of the roll upon which payment was made.

1356. Should a soldier die or desert in the interval between the signing of the pay roll and the receipt of the money at the post from the paymaster, the check or cash will be returned immediately to the paymaster by the company or detachment commander, the cash by express, through the Quartermaster's Department, the check by registered mail; and a note of explanation stating the fact of nonpayment and return of the check or money will be made on the roll, and verified by the signature of the witnessing officer. The same course will be pursued should a soldier decline to receive his pay, or if for any reason it should be impracticable to deliver it to him in person. When a paymaster has had money returned to him in such cases he will not cancel the signature of the soldier on the roll, but will mark "Not paid" opposite the signature.

Should it appear from the pay rolls submitted to the paymaster that the term of any soldier thereon will expire and he be discharged before the pay rolls and money can be received back at the post, the paymaster will ignore the man's account and mark "Not paid" in the "Total paid" column, and the company commander in preparing such soldier's final statements will note thereon the date of the last actual payment and not the date of expiration of the muster period for which he has signed the roll.

1357. When companies or detachments of troops are absent from their stations for an indefinite period, and funds for their payment can not be sent by express, the rolls will be held and not sent to the paymaster until the troops reach some point to which it is practicable to send funds. When a command can be mustered and the rolls completed and duly signed by the men, they can be sent to the paymaster to be made out and held by him until notified where and when the command can be paid. In cases where the rolls have been sent to the paymaster and the troops are sent away from their station before the receipt of funds for their payment, post commanders will not hold the money at their discretion, but will return the rolls and the money to the paymaster unless payment can be made within a reasonable time, not exceeding three days.

1358. Deposits may be made in the usual manner, the amount to be deposited being reported to the paymaster by letter forwarded with the rolls, the soldier's deposit book being also forwarded therewith. When it is known that the payment will be made by check and the rolls are forwarded without signatures, an order directing deposit of the desired amount of pay, signed by the soldier and witnessed by the company or detachment commander, will accompany the rolls. Should a man desire to deposit a sum greater than his pay his company commander will see that a proper check, postal order, or express order accompanies his deposit book; if neither check nor order can be obtained the company commander will send the money by registered mail at public expense, verifying the amount and reporting it in a separate communication to the paymaster. Deposit books will be returned to the company commander properly filled in for attestation.

1359. When a paymaster has made an incorrect payment to an enlisted man, he will report the fact to the commander of the company in which the man is

mustered, who will note the same on the next muster and pay roll, that it may be corrected.

1360. Payments to enlisted men will be made on pay rolls, with the following exceptions: Enlisted men retired; men of the post noncommissioned staff (or acting as such), and men of the Signal Corps on duty where there are no other troops. These men will be paid on their descriptive lists. Payments to discharged soldiers will be made by any paymaster under the provisions of paragraphs 1398 to 1406.

REENLISTED AND CONTINUOUS-SERVICE PAY.

1361. Any enlisted man honorably discharged at the termination of his first or any succeeding enlistment period who reenlists after the expiration of three months shall be regarded as in his second enlistment; and an enlistment shall not be regarded as complete until the soldier shall have made good any time lost during an enlistment period by desertion or, in the case of enlistments made on or since May 11, 1908, by unauthorized absences exceeding one day, but any soldier who receives an honorable discharge for the convenience of the Government after having served more than half of his enlistment shall be considered as having served an enlistment period within the meaning of the act of May 11, 1908. Any enlisted man of the Army in active service on May 11, 1908, who had a prior service entitling him to reenlisted pay is entitled to credit for one enlistment period on account of such service regardless of whether on that date he was on a status of "entitled to reenlisted pay" or on a status of a certain year of continuous service.

1362. Any enlisted man honorably discharged at the termination of an enlistment period who reenlists within three months thereafter shall be entitled to continuous-service pay in addition to the initial pay provided by the act of May 11, 1908, as follows: Where the initial pay is $36 or more a month, an increase of $4 monthly pay for and during the second enlistment, and a further monthly increase of $4 for and during each subsequent enlistment up to and including the seventh enlistment. Where the initial pay is $18, $21, $24, or $30, an increase of $3 monthly pay for and during the second enlistment, and a further monthly increase of $3 for and during each subsequent enlistment up to and including the seventh. Where the initial pay is $15 and $16, an increase of $3 monthly pay for and during the second and third enlistments each, and a further monthly increase of $1 for and during each subsequent enlistment up to and including the seventh. After the seventh enlistment the pay shall remain as in the seventh enlistment.

1363. Any private, first class, of engineers, ordnance, Signal Corps, and Hospital Corps, trumpeters, musicians of infantry, artillery, and engineers, or private of the Hospital Corps, cavalry, artillery, infantry, and Signal Corps, or private, second class, engineers and ordnance, honorably discharged at the termination of his first enlistment period, who reenlists within three months of the date of such discharge, shall, upon reenlistment, receive an amount equal to three months' pay at the rate he was receiving at the time of his discharge.

1364. The reenlistment pay of an enlisted man not entitled to continuous-service allowances will be indicated on the muster and pay rolls as "entitled to reenlisted pay." Should he be serving in the first five years, or be entitled to both reenlistment and continuous-service pay, the rolls should show the year of continuous service in which he is serving.

CERTIFICATE OF MERIT.

1365. A certificate of merit granted to an enlisted man for distinguished service entitles him, from the date of such service, to additional pay at the rate

of $2 a month during military service, whether as an enlisted man or as an officer, although such service may not be continuous, and is payable in full to a retired enlisted man.

ADDITIONAL PAY TO ENLISTED MEN.

1366. The 20 per centum allowed by law to enlisted men serving beyond the limits of the United States and Territories contiguous thereto, except Hawaii and Porto Rico, is payable from date of departure from the United States until date of return thereto; but enlisted men entitled to this increase are not entitled to receive extra-duty pay.

1367. An enlisted man, qualified as a gunner in coast artillery or field artillery, is entitled to pay at the rate of $3 a month if he be a first-class gunner, and at the rate of $2 a month if he be a second-class gunner, in addition to his pay, for a period of three years from the date of qualification: *Provided*, That during such period he continues to be a member of the branch of the artillery service in which qualification was made or reenlists in that branch of the service within three months from date of discharge, or is transferred for the convenience of the Government to another arm or branch of the service. Notation on all the pay rolls after transfer will be made in the following manner: "First-class gunner, June 30, 1905, transferred for the convenience of the Government September 30, 1907." If discharged before the expiration of three years from the date of qualification and reenlisted within three months from the date of discharge, the interval between the date of discharge and the date of reenlistment will be counted as a part of the three-year period for which he is entitled to gunner's pay. The first muster roll and pay roll on which a gunner is mustered for pay must show the date of qualification and the number, date, and source of the order in which it is announced. Subsequent rolls will show the date of qualification, thus: "First-class gunner, June 30, 1905."

If, by reason of the exigencies of the service, and not from neglect on his part, a gunner is prevented from participating in the regular gunners' examination of his company or battery prior to the completion of his three-year qualification, his qualification will continue in force until such time as he may have an opportunity to be examined for requalification in accordance with existing orders governing the examination and qualification of gunners, such extension not to exceed one year. Such hold-over qualification will be published in orders and the number, date, and source of the order will be entered on the first muster roll and pay roll on which pay is drawn thereunder. The date of qualification and fact of extension will be entered on succeeding rolls in the following manner: "First-class gunner, June 30, 1905—Classification extended."

Except in case of urgent necessity, a furlough will not be granted to a gunner of coast or field artillery immediately before the expiration of his term of qualification when his absence would prevent him from requalifying at the regular gunners' examination.

An enlisted man qualified and rated as a plotter, an observer, first class, or a casemate electrician is entitled to $9 a month, and as a gun pointer, gun commander, observer, second class, chief planter, or chief loader, to $7 a month in addition to his pay.

The muster roll and pay roll on which a first-class gunner is rated or disrated as a casemate electrician, observer, first class, plotter, chief planter, chief loader, observer, second class, gun commander, or gun pointer will, in addition to the remark giving the date of qualification as "First-class gunner," show the date of such rating or disrating thus: "First-class gunner, June 30, 1906. Rated chief loader, March 10, 1907," or "First-class gunner, June 30,

1906. Disrated chief loader, April 10, 1907." All intermediate rolls will contain the remark "Chief loader, first-class gunner, June 30, 1906."

No enlisted man shall receive at the same time additional pay for more than one of the classifications named in this paragraph and in paragraph 1368.

1368. Enlisted men qualifying as expert riflemen are entitled to $5 a month, those qualifying as sharpshooters to $3 a month, and those qualifying as marksmen to $2 a month, in addition to their pay, from the date of qualification to the end of the enlistment in which they qualify, provided that during that time they do not attain a higher classification and that they continue to be members of an organization armed with the rifle or are transferred for the convenience of the Government to some organization not so armed.

A soldier who reenlists in an organization armed with the rifle, in which qualification is authorized, within three months from the date of discharge from such an organization, will continue to receive, for one year from the date of such reenlistment, the extra compensation to which he was entitled at the date of discharge, provided the soldier does not attain a higher classification within that period.

In case a reenlisted soldier in the first year subsequent to his reenlistment qualifies in a lower grade than that held in his prior enlistment, extra compensation for the higher grade held in his prior enlistment will cease and that for the grade in which he qualified will begin one year from the date of his reenlistment. Qualification can not be made in the Coast Artillery Corps nor in bands of any arm. In each enlistment a soldier will begin his firing with the marksman's course and will be graded for extra compensation as set forth above for that enlistment.

The fact of qualification will be published in department orders, which will show the date of actual qualification from which the soldier is entitled to increased pay, and the first muster roll and pay roll will give the date of actual qualification and the number, date, and source of the order. Subsequent rolls will show the date of qualification, thus: "Expert rifleman, June 30, 1905," and in case of transfer for the convenience of the Government to an organization not armed with the rifle, this fact will also be noted. In case the soldier is discharged before his qualification has been published in department orders, notation will be made on the final statements of the fact and date of qualification and that department orders announcing such qualification have not been received. Such notation will authorize the payment of the amount due the soldier as additional pay. When a soldier ceases to be entitled to the additional pay herein provided for, that fact will be noted on the muster rolls and pay rolls.

1369. Mess sergeants entitled to $6 a month in addition to their regular pay under the act of Congress approved May 11, 1908, are authorized as follows: One for each troop of cavalry, battery of field artillery, company of engineers, infantry, or coast artillery, hospital corps company, signal corps company, authorized band, and one for each regularly established separate detachment mess of enlisted men, whether of the line or staff corps, but no mess sergeant will be detailed for a detachment when the number of men habitually messed is less than 25, except upon special authority of the Secretary of War in each case. Mess sergeants will be detailed from the grade of sergeant, drum major, or troop, battery, or company quartermaster sergeant, or sergeant, Hospital Corps, by the officer in immediate command of the company or detachment. Mess sergeants may be detailed from the grade of sergeant, first class, Hospital Corps, but only by special authority of the Surgeon General in each individual case, granted after consideration of evidence showing that such detail is necessary and for the best interests of the service. When organizations

or detachments are merged into a general mess, mess sergeants will not be detailed, but additional compensation will be given to the mess steward as provided in paragraph 333, Army Regulations.

ALLOTMENTS.

1370. Every enlisted man absent on distant duty shall be allowed to allot such portion of his pay as he may desire for the support of his family or relatives, for his own savings, or for any other purpose, excepting that of obtaining an advance on his pay; but the allotment privileges to soldiers serving within the boundaries of the United States will be limited to the support of their families and relatives.

1371. As soon as possible after the receipt of an order for distant duty the commanding officers of troops, batteries, companies, bands, noncommissioned staff, signal or hospital corps, or any other detachments affected by such order will prepare allotments on the prescribed blanks for all men of their organizations who desire to make the same. When executed these allotments will be forwarded by registered mail to the Paymaster General, who will make acknowledgment thereof to the respective commanding officers, stating the names of the grantors and the amounts and periods of the allotments.

1372. All allotments shall be executed in duplicate and witnessed by the respective commanding officers specified in paragraph 1371, one copy to be retained by said commanding officers and the other to be forwarded immediately to the Paymaster General. Before witnessing an allotment such commanding officer shall, however, satisfy himself that the allotment is not made for the purpose of obtaining an advance on the soldier's pay. When a bank is designated as allottee, the immediate commanding officer of the grantor shall furnish the bank, at the same time that he furnishes the allotment roll to the Paymaster General, with the signature of the grantor, and also inform the bank of the amount and period of allotment. Such commanding officer shall also, if possible, satisfy himself that the bank named has an existence. An allotment shall be made payable on the last day of each month and for a stated period.

1373. On the death, discharge, or desertion of a soldier who has an allotment running, the allotment ceases. In such cases the immediate commanding officer will report as expeditiously as possible to the Paymaster General, or in the Philippines Division to the adjutant general of the division, the names of grantors whose allotments thus cease. In the Philippines Division, except in the case of deaths which are otherwise reported, the division commander will send by cable notification to The Adjutant General of the Army, who will at once notify the Paymaster General. In case of forfeiture by sentence of a court-martial the stoppage of pay to meet the allotment, being a reimbursement to the United States of the amount paid the allottee, will take precedence of the forfeiture; when, however, the forfeiture is such that possibly it can not be stopped in full prior to the discharge of the soldier if the allotment is continued, the immediate commanding officer will report at once by mail to the Paymaster General requesting a discontinuance of the allotment. Similar action will be taken when, due to reduction, to stoppages for clothing overdrawn, to continued misconduct, or to any reason, the soldier's available pay will not warrant the continuance of the allotment. The Paymaster General will notify a soldier's immediate commanding officer of the fact of discontinuance of payment to the allottee and the last month's allotment paid. The stoppage of pay to meet the allotment will be continued until this notice is received, and the soldier will be credited on the next roll with any amount withheld in excess of amount paid the allottee.

1374. When the grantor of an allotment desires it discontinued prior to the expiration of the period for which it was granted, the commanding officers specified in paragraph 1371 will prepare and transmit to the Paymaster General, on the prescribed blank, the soldier's request for such discontinuance. This request must specify the month for which the last payment is to be made, but the stoppage of pay to meet the allotment should be continued until receipt of the Paymaster General's acknowledgment of request for discontinuance. If on receipt of the request for discontinuance of an allotment payment thereon has been made beyond the month specified, the Paymaster General, in making acknowledgment, will state the date to which the allotment has been paid and direct the repayment to the soldier of any pay deducted in excess of the payments on the allotment.

When an allotment is to run for the full period for which granted, no request for discontinuance or notice of the expiration is necessary.

1375. Payment to allottees shall be made by one or more paymasters, to be designated by the Paymaster General. Said disbursing officer shall, before making payment of such allotment, use due diligence in obtaining and making use of all information that may have been received in the War Department relative to the grantors of the allotments.

1376. If an erroneous payment is made because of the failure of an officer responsible for such report to report, in the manner prescribed by the Secretary of War, the death of the grantor, or any fact which renders the allotment not payable, then the amount of such erroneous payment shall be collected by the Paymaster General from the officer who fails to make such report, if such collection is practicable.

1377. All allotments of pay of enlisted men that have been or shall be paid to the designated allottees, after the expiration of one month subsequent to the month in which said allotments accrued, shall pass to the credit of the disbursing officer who has made or shall make such payment.

1378. In case of the capture by the enemy of soldiers who have made allotments which may expire after their capture, the monthly payments of the same shall be continued until otherwise ordered by the Secretary of War.

1379. In case of the transfer of a soldier whose period of allotment still continues, all the data respecting said allotments shall be entered on his descriptive list, and the commanding officer of the troop, battery, or company from which he is transferred shall at once report such transfer to the Paymaster General.

1380. The date, period, and amount of allotment shall be entered as a part of the soldier's record and also noted on each pay roll during the period of allotment. The discontinuance of an allotment shall be similarly entered and noted.

1381. When the grantor of an allotment is soon entitled to discharge and is so much in debt to the United States that it will require the whole or a part of his allotted pay to cancel his obligation, this allotment shall be terminated in the prescribed manner.

1382. Upon receiving information of the death of any person to whom an allotment is payable by him, the paymaster properly designated to pay this allotment shall at once report this fact to the Paymaster General, who shall forthwith inform the grantor's immediate commanding officer.

1383. When an allotment is discontinued, at the request of the person making it, before the expiration of the term for which it is granted, it shall not be renewed within that term except by permission of the regimental or post commander, on satisfactory reasons being given for such discontinuance and renewal.

DEPOSITS.

1384. An enlisted man, not on the retired list, may deposit his savings with any paymaster in sums of not less than $5; the same to remain so deposited until final payment on discharge. The paymaster will furnish to each depositor a book in which each deposit, with the name of the depositor, date, place, and amount, in words and figures, will be entered in the form of a certificate, signed by the paymaster and company commander. The transfer, pledge, or sale of a deposit book is prohibited.

Each company or detachment commander will keep in the soldier's record an account of every deposit made by the soldier, and after each regular payment he will forward directly to the Paymaster General a list of the names of the depositors, showing in each case the date, place, and amount of deposit and the name of the paymaster who received it. Each report will be restricted to and will include only deposits with one paymaster on a given date. These lists before transmittal will be examined and compared with the record of deposits on the company or detachment book and the deposit book of the soldier, and attesting officers will see that the names are identical with the names as borne on the rolls.

Should a soldier who has made a deposit be transferred or desert, the fact will be promptly reported directly to the Paymaster General by the officer in command of the company or detachment to which he belongs. In case of transfer his descriptive list will show the date and amount of each deposit. There is no objection to deposits being made by Indian and Philippine scouts and Porto Rico provisional troops.

1385. On the discharge of a soldier, the date and amount, in words and figures, of each of his deposits will be entered upon his final statements, and his deposit book will be taken up by the paymaster who pays him and filed with the voucher of payment. In case deposits are forfeited by desertion, the amounts of the same will be entered on the final statements under the head "Remarks," and the facts and authority for such forfeiture given.

1386. Before delivering final statements upon which deposits are credited, the officer signing them will ascertain whether the soldier has the deposit book; and, if so, instruct him to present it to the paymaster. Should he claim to have lost it, the officer will cause his affidavit to that effect to be taken before he leaves the post and attached to the statements. The affidavit will clearly state the circumstances attending loss of the book and show that the soldier has not sold or assigned it. Upon this evidence the paymaster may pay, and the responsibility for the correctness of amounts credited on the statements will rest with the officer certifying them.

1387. Paymasters will not pay deposits except on final statements. When they are not paid, the soldier should forward his deposit book or the evidence referred to in the preceding paragraph to the Paymaster General. Enlisted men should be informed of the importance of preserving deposit books as the only certain means of insuring prompt repayment.

1388. A soldier must draw his deposit when he is discharged. He can then renew it after reenlistment, and will be entitled to interest thereon from the date of such renewal. Failure to present the final statements leaves the money without interest until it is drawn and again deposited. A discharged soldier who desires, after reenlistment, to have all or a part of the money due to him on discharge deposited under the provisions of paragraph 1384, must furnish to the paymaster who makes payment on his final statements, a written order requesting that such part of the amount due thereon, as he may desire so deposited, be transferred to his new account. The paymaster will file this

order with the paid final statements as authority for this disposition of the money due to the soldier.

1389. For any sum of not less than $5 deposited for the period of six months or longer the soldier, when discharged, will be paid interest at the rate of 4 per cent per annum to date of discharge.

1390. On the death of a soldier, each deposit, with amount, date, place, and paymaster with whom deposited, will be noted in the inventory of his effects and on the accompanying final statements with which his deposit book will be filed.

1391. Both deposits and interest will be forfeited by desertion, but forfeiture of them can not be imposed by sentence of a court-martial. They are exempt from liability to meet a sentence of a court-martial imposing forfeiture of pay or allowances, and from liability for the soldier's private debts. Deposits and interest are not exempt from liability for debts due to the United States or to individuals, within the meaning of paragraph 1393.

1392. If an enlisted man deposits money with the company or post commander, the same to be applied for purchase of his discharge, the officer will immediately upon receipt of order for discharge of the man forward the money to a paymaster for deposit and send to the Paymaster General the usual notification of deposit. On the return of the deposit book by the paymaster the soldier will be discharged and final statements furnished to him, with notation of the deposit thereon, thus showing on their face the total credit of the soldier, which must in every case be sufficient to cover all indebtedness to the United States.

FORFEITURES AND DEDUCTIONS.

1393. Authorized stoppages will be entered on the pay rolls and deducted at times of payment in the following order:

1. Reimbursements to the United States.
2. Reimbursements to individuals, as the paymaster or post exchange, for instance.
3. Forfeitures for desertion and fines.

Articles of camp and garrison equipage must be charged on the pay rolls as such, and other articles of quartermaster's stores or property must be enumerated and the price stated in the column of "Remarks," in order that the proper appropriation may be credited therewith.

1394. Officers and enlisted men in arrest and confinement by the civil authorities will receive no pay for the time of such absence; if released without trial, or after trial and acquittal, their right to pay for the time of such absence is restored.

PAY OF DESERTERS.

(See Article XIX.)

1395. An enlisted man charged with desertion will not receive pay until his offense has been investigated by a court-martial, or he has been restored to duty without trial, or the charge has been set aside as having been erroneously made.

1396. Every deserter forfeits all pay and allowances due at the date of desertion. Stoppages and forfeitures then due will be deducted from his arrears of pay, and, if not so satisfied, from pay due after apprehension. The company commander will note upon the first muster roll after apprehension all data necessary to a complete settlement of the soldier's account from the date of last payment, and will carry the account to subsequent rolls until the settlement is made.

1397. No settlement of the pay account of any enlisted man will be made on the rolls until sufficient pay shall have accrued to satisfy all dues to the United States and pay a balance to the soldier. The required data will include date of last payment, desertion, and apprehension, credits at date of desertion on account of clothing, unsatisfied forfeitures under prior sentences, and dues to the United States at date of desertion on account of clothing, subsistence, ordnance, etc. If, while absent in desertion, he illegally enlisted in another organization, the date of last payment in such enlistment and all stoppage due the United States at date of surrender or apprehension will be stated.

PAYMENT OF DISCHARGED SOLDIERS.

(See Article XXI.)

1398. Discharged soldiers will be paid on final statements prepared in duplicate and furnished to them by their company or detachment commanders. Payment will be made only on presentation of both copies. Except when notified as prescribed in paragraph 154, paymasters will not pay discharged soldiers, unless otherwise satisfied of the genuineness of the discharge papers and the identity of the claimants.

1399. Upon payment of the final statements of a discharged soldier, the paymaster will write on the discharge "Paid in full," with his signature, noting amounts paid, except when the final statements have been transferred and are not accompanied by the discharge. The day of enlistment and the day of discharge will both be included in reckoning pay.

1400. Paymasters, or other officers to whom a discharged soldier reports the loss or nonreceipt by him of final statements to which he is entitled, will report the fact to the Paymaster General, with any evidence the soldier furnishes them in the matter. The Paymaster General will transmit the evidence to the Auditor for the War Department.

1401. When an enlisted man is discharged from the service, except by way of punishment for an offense, he shall receive 4 cents per mile from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service: *Provided*, That for sea travel on discharge transportation and subsistence only shall be furnished to enlisted men: *And provided further*, That for the purpose of determining allowances for all travel of enlisted men on discharge, travel in the Philippine Archipelago, the Hawaiian Archipelago, the home waters of the United States, and between the United States and Alaska shall not be regarded as sea travel and shall be paid for at the rates established by law for land travel within the boundaries of the United States.

1402. Paymasters when paying final statements of soldiers discharged under foregoing conditions will include in such payments travel allowances from station to port of embarkation and from port of arrival in the United States to place of enlistment or enrollment.

1403. An enlisted man discharged for minority concealed at enlistment, or for other cause involving fraud on his part in the enlistment, is not entitled to pay and allowances, including those for travel, and will not receive final statements unless deposits are due him, in which case final statements, containing a full statement of the soldier's accounts at date of discharge, will be furnished.

1404. A soldier held in military custody under sentence of court-martial beyond his term of enlistment (except where dishonorable discharge is imposed) will be furnished with final statements showing the actual date of discharge and the cause of detention. A soldier in the hands of civil authorities awaiting trial should, at the expiration of his term of service, be furnished with

his discharge certificate and final statements containing all necessary data for the paymaster, giving date and cause of arrest and remarks "Not entitled to pay or clothing since date of arrest nor to travel pay unless acquitted or released without trial."

1405. Recruits are entitled to pay and allowances when discharged on certificates of disability. When discharged for any cause involving fraud on their part at enlistment, paragraph 1403 will govern.

1406. The transfer by an enlisted man of a claim for pay due on his final statements will be recognized only when made after discharge, in writing, indorsed on the final statements, signed by the soldier, and witnessed by a commissioned officer or by some other reputable person known to the paymaster. The person witnessing the transfer must indorse on the discharge the fact of transfer of the final statements, and on the final statements the fact that such indorsement has been made on the discharge.

MISCELLANEOUS.

1407. An officer of the Pay Department will not give a receipt, except in the following cases:

1. For the transfer of money when the transfer is of cash.
2. For the money of a deceased soldier, deserter, or an escaped military prisoner.
3. For a stoppage authorized by the Secretary of War, for which the Paymaster General may direct a receipt to be given.
4. For a refundment made by an officer on account of an overpayment made by a paymaster.

A separate receipt will be given in each individual case.

In all other cases the person turning over or refunding money will deposit it in some authorized public depositary or transfer it to a disbursing officer of the department to which the money belongs.

1408. When any officer or enlisted man on the active list of the Army dies from wounds or disease not the result of his own misconduct, his widow, or some other person duly designated by him, is entitled to receive, through the Pay Department, an amount equal to six months' pay at the rate such officer or enlisted man was receiving pay at the date of his death, less $75 in the case of each officer and $35 in the case of each enlisted man. Any residue of the sums thus reserved, after the expenses of interment have been met therefrom, will be paid subsequently to the same beneficiary. Each officer and enlisted man in service on the active list will file on the form furnished for that purpose by The Adjutant General of the Army the full name and address of the person to whom he wishes the half year's salary paid in the event of death. The signature in every case will be witnessed and attested as required by the printed notes on the form. Should an officer or enlisted man desire to change a beneficiary previously designated by him and to make a new designation, he may do this by filling up and forwarding to The Adjutant General of the Army another blank of the prescribed form, properly signed, witnessed, and attested.

All officers when first appointed and all recruits will, at the time of their appointment or enlistment, make the prescribed designation which, for an officer, will be forwarded to The Adjutant General of the Army with the officer's letter accepting his commission, and for a recruit will be forwarded together with the recruit's enlistment paper to The Adjutant General of the Army, who will transmit all designations thus received to the Paymaster General, in whose office all designations of beneficiaries under this regulation will be filed permanently. Designations duly made and filed will continue to

be valid and sufficient, unless revoked as herein provided, as long as the officers or enlisted men making the designations continue upon the active list of the Army.

ARTICLE LXXVII.

Medical Department.

NOTE.—Regulations for the government of the Medical Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Surgeon General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

GENERAL PROVISIONS.

1409. The Medical Department is charged with the duty of investigating the sanitary condition of the Army and making recommendations in reference thereto, of advising with reference to the location of permanent camps and posts, the adoption of systems of water supply and purification, and the disposal of wastes, with the duty of caring for the sick and wounded, making physical examinations of officers and enlisted men, the management and control of military hospitals, the recruitment, instruction, and control of the Hospital Corps and of the Nurse Corps, and furnishing all medical and hospital supplies except for public animals.

1410. The surgeon of every post or command, under the direction of the commanding officer, will supervise its hygiene and recommend such measures as he may deem necessary to prevent or diminish disease. He will examine, at least once a month (and in the case of a permanent post note in the medical history thereof), the sanitary condition of all public buildings, the drainage, the sewerage, the amount and quality of the water supply, the clothing and habits of the men, the character and cooking of the food, and the character and causes of prevailing diseases and measures taken to prevent them, and immediately after such examination will report thereon in writing to the commanding officer, with such recommendations as he may deem proper. The commanding officer will return the report, with his views and action indorsed thereon, and if he deem the action recommended impracticable or undesirable, will state fully his objections. The surgeon, after noting the commanding officer's statement (in the medical history if at a permanent post), will forward the report, through military channels, to the Surgeon General. Special sanitary reports will take the same course as the regular monthly sanitary reports. As far as practicable, intermediate commanders will correct sanitary defects, noting their action by indorsement.

Sanitary inspections of a general hospital or other establishment or organization of the Medical Department will be made, under the direction of the medical officer in command, by a junior medical officer assigned to that duty, who will report in writing to the commanding officer. The latter will forward the reports, through military channels, to the Surgeon General, indicating his action by indorsement thereon. The commanding officer will keep an appropriate record of the reports and his indorsements.

APPOINTMENTS.

1411. No person shall receive an appointment as first lieutenant in the Medical Corps unless he shall have been examined and approved by an army medical board consisting of not less than three officers of the Medical Corps designated by the Secretary of War; and no officer of the Medical Corps below the rank of lieutenant colonel shall be promoted therein until he shall have

successfully passed an examination before an army medical board consisting of not less than three officers of the Medical Corps designated as aforesaid, unless in case of an officer below the rank of major a board of review shall have pronounced him qualified for promotion after an adverse finding by an examining board. Any major of the Medical Corps on the active list of the Army who, at his first examination for promotion to the grade of lieutenant colonel in said corps, is found disqualified for such promotion for any reason other than physical disability incurred in the line of duty, will be suspended from promotion and his right thereto will pass successively to such officers next below him in rank in said corps as may become eligible to promotion under existing law during the period of his suspension; and any major of the Medical Corps suspended from promotion, as hereinbefore provided, will be reexamined as soon as practicable after the expiration of one year from the date of the completion of the examination that resulted in his suspension; and if on such reexamination he is found qualified for promotion, he will again become eligible thereto; but if he is found disqualified by reason of physical disability incurred in the line of duty, he will be retired with the rank to which his seniority entitles him to be promoted; and if he is not found disqualified by reason of such physical disability, but is found disqualified for promotion for any other reason, he will be retired without promotion.

1412. Officers of the Medical Reserve Corps who apply for appointment in the Medical Corps of the Army may, upon the recommendation of the Surgeon General, be placed on active duty by the Secretary of War and ordered to the Army Medical School for instruction and further examination to determine their fitness for commission in the Medical Corps, but this will apply only to officers who have passed the preliminary examination for the Medical Corps.

CONTRACT SURGEONS, DENTAL SURGEONS.

1413. Civilian physicians and dentists may be employed as contract surgeons and dental surgeons under contracts entered into by or with the authority of the Surgeon General of the Army. They are entitled to the transportation and fuel allowances of first lieutenants, and when on duty at a post or station where quarters in kind are provided by the United States they will be entitled to the quarters allowed by regulation to a first lieutenant; they are not entitled to commutation of quarters, nor to the 10 per centum increase of pay for foreign service as provided by law for officers.

1414. Contract surgeons and dental surgeons are entitled to the same protection in their positions and the same respect and obedience from enlisted men as commissioned officers.

1415. Whenever the contract of a physician or dentist is annulled, the fact and date of annulment will be noted in writing on his contract, and when ordered to his home for annulment of contract, such fact will also be noted thereon by the officer under whose orders he may at the time be serving.

1416. Contract surgeons, on availing themselves of leaves of absence, must submit their contracts to the commanding officer of the post or station where serving, who will indorse thereon the date of commencement and duration of leave. The actual date of their rejoining from leave should also be noted on contract on return to post or station.

1417. The services rendered by a contract surgeon are not restricted to those of a purely professional character; on the contrary, his eligibility for duty is the same as that of a first lieutenant of the Medical Corps, except in so far as it is limited by the fact that he is not a commissioned officer. A contract surgeon, though not eligible for detail on courts-martial, may prefer charges against

enlisted men and may be detailed on councils of administration, and as post treasurer, etc.; he may also witness payments to enlisted men under the provisions of paragraphs 1338 to 1360.

DENTAL SURGEONS.

1418. Contracts with dental surgeons will be made for three years, but may be annulled at any time by the commanding general of a territorial division or department, after official investigation, for conduct to the prejudice of good order and military discipline, or by the Surgeon General when in his opinion a termination of the contract would be in the interests of the service.

1419. Dental surgeons are a part of the Medical Department, and will be assigned to duty in accordance with the recommendations of the Surgeon General or the chief surgeon of a military department.

A dental surgeon on duty with a military command is subordinate to the senior medical officer of the command and under his immediate control.

1420. When a dental surgeon reports for duty at a post, the surgeon of the post will assign a room in the hospital to him for use as an operating room, if one is available. If no room in the hospital is available, the post commander will provide a suitable operating room in one of the other post buildings.

Each dental surgeon will ordinarily be allowed one enlisted man as an assistant, who will be detailed from the members of the Hospital Corps, and whose duty it will be to assist the dentist in his operations, in caring for the instruments and other public property, in keeping the records, and in the performance of such other official work pertaining to this position as he may be directed by the proper authority to do. A member of the Hospital Corps detailed as dentist's assistant and stationed in a city or town will be provided with a suitable room as quarters by the Quartermaster's Department, but when stationed at a post, in camp, or in the field, he will be attached to the hospital corps detachment.

1421. In accordance with the act of Congress authorizing their employment, dental surgeons will "serve the officers and enlisted men of the Regular and Volunteer Army." The families of officers and civilian employees attached to the Army are not entitled to their services. In this connection contract and dental surgeons are to be regarded as officers.

1422. Dental surgeons will operate between the hours of 9 a. m. and 4 p. m. upon those officers and enlisted men who are entitled to their services. They may operate upon others, not entitled to free service, before and after these hours, when their services are not required by those entitled to them, but material issued to them by the Government will be used only in operations upon officers and enlisted men of the Army. Emergency work, whether for officers or enlisted men, shall at all times have precedence over the work for those not entitled to free service, without regard to the hours of duty.

1423. Dental surgeons will not perform any operation upon officers or enlisted men of the Army or prescribe medicines for them, other than those necessary for the treatment of the teeth and gums. This prohibition does not apply to cases of emergency, where no medical officer is within reach, and where a dental surgeon is able to render necessary surgical assistance to meet the immediate emergency.

1424. For plate work or for the filling of teeth of enlisted men the materials supplied by the Government will be used and no other, and dental surgeons are forbidden to enter into any financial agreement with enlisted men involving an obligation for payment for silver, platinum, or gold used for filling cavities in teeth, for the construction of bridge work, for the fitting of crowns, the making of artificial dentures, or other dental work.

1425. Enlisted men requiring the services of the dental surgeon will, at an hour prescribed by the commanding officer, be conducted to the designated place under a noncommissioned officer, who will take with him and hand to the dentist a list of those reporting for treatment. This list will be entered in a daybook ruled in columns for surname, given name, rank, company, regiment, etc., the headings to be the same as those borne on his monthly report.

1426. All cases requiring treatment involving future appointment will be so noted, and the others will be marked according to the circumstances, as "Treatment unnecessary," "Further treatment unnecessary," "Should be sent to surgeon," etc. When future treatment is necessary, the dentist will forward a card, as follows:

———, ———, 19—.

The ADJUTANT,

———— ————.

SIR: I have the honor to ask that ——— ——— be directed to report to me from —— m. to —— m. on —— inst., for treatment.

Very respectfully, ——— ———, *Dental Surgeon.*

THE HOSPITAL CORPS.

1427. The members of the Hospital Corps will be enlisted for and permanently attached to the Medical Department. In time of war the corps will perform the necessary ambulance service under such officers of the Medical Department and assistants as may be detailed for that duty.

1428. Sergeants, first class, will be appointed by the Secretary of War on the recommendation of the Surgeon General, provided they have served a year as sergeant, or as a hospital steward of volunteers or acted in that capacity during and since the Spanish-American war for more than six months. Sergeants will be appointed by the Secretary of War on the recommendation of the Surgeon General; corporals, lance corporals, and privates, first class, will be appointed by the Surgeon General or the chief surgeon of a division or department. Before appointment sergeants, first class, must pass a satisfactory examination under the direction of the Surgeon General; and sergeants a satisfactory examination under the direction of the Surgeon General or the chief surgeon of a division or department. These examinations will be conducted by a board composed of three commissioned medical officers of the station at which the applicant may be serving, or of such a number of medical officers less than three as may be present, and if no medical officer is there on duty the candidate will be sent for examination to the nearest station provided with such an officer. The report of the board will be forwarded directly to the Surgeon General or the chief surgeon. Sergeants, first class, sergeants, and corporals are furnished with warrants signed by the Surgeon General. Promotions to the grade of corporal, lance corporal, and private, first class, may be recommended to the Surgeon General or the chief surgeon by the medical officer commanding the detachment. The allowance of enlisted men of the Hospital Corps of each grade as fixed by regulations and orders will not be exceeded except by special authority of the Secretary of War. The proportion of privates, first class, to privates will not exceed two to one.

1429. A sergeant, first class, stationed at a place where no post return is made will make such personal reports as the Surgeon General may direct.

1430. Sergeants, first class, though liable to discharge, will not be reduced. Sergeants, corporals, lance corporals, and privates, first class, may be reduced by sentence of a court martial, by the Surgeon General, or by the chief surgeon of a division or department.

1431. To test the capacity of privates of the Hospital Corps for the duties of noncommissioned officers, the Surgeon General and chief surgeons may appoint lance corporals, who will be obeyed and respected as corporals; but no detachment shall have more lance corporals at a time than enough to make the proportion of all noncommissioned officers present for duty one to four privates of the Hospital Corps. Lance corporals are on the same footing regarding reduction as corporals.

1432. The commander of an army corps, or of a division or brigade acting independently, is charged with the full control of the transfer from the line, the enlistment, reenlistment, and discharge of members of the Hospital Corps of his command.

1433. Enlistments for the Hospital Corps will be made in the grade of private. Sergeants, first class, sergeants, corporals, lance corporals, and privates, first class, may be reenlisted in their respective grades and their warrants and appointments continued in force, provided they reenlist on the day following that of discharge. Each enlistment and continuance will be noted on the warrant or appointment by the surgeon. Recruiting officers at general recruiting stations may accept applicants for enlistment or reenlistment in the Hospital Corps upon the authority of the Surgeon General and will be guided by his instructions in making the physical examination of such applicants. Applicants may be accepted with a vision of $\frac{2}{7}\frac{0}{0}$ in each eye, correctible to $\frac{2}{4}\frac{0}{0}$ with glasses, provided that no organic disease exists in either eye. After enlistment recruits will be forwarded to such stations as may have been designated for them by the Surgeon General.

1434. Enlisted men of the line, musicians excepted, may be transferred to the Hospital Corps as privates by the commander of a division, separate brigade, or department, on the application of the surgeon of the post or command, forwarded through military channels. The application will state the age, character, physical condition, and habits of the soldier, date of expiration of current enlistment, and whether made for an existing or prospective vacancy. If the soldier be over 40 years of age his special qualifications for transfer will be stated.

1435. Married men will not be enlisted as privates in or transferred to the corps, and no sergeant who is married shall be reenlisted without special authority.

1436. Members of the corps will not be required to perform any military duties other than those pertaining to their corps. They will be instructed in such drills, both foot and mounted, as are necessary for their efficiency. They will not be required to attend ceremonies, except when directed by the commanding officer, and will ordinarily be inspected and mustered at the hospital. The forms of inspection will be in accordance with the prescribed drill regulations for the Hospital Corps.

1437. To meet the requirements of epidemics or other emergencies and to fill vacancies, members of the Hospital Corps may be transferred by the department commander, the quota of each post, as prescribed by paragraphs 1439 and 1440, not being permanently exceeded. Such transfers will be reported to the Surgeon General.

1438. Accounts of pay and clothing of members of the Hospital Corps will be kept by the surgeon under whose immediate direction they are serving. All members casually at a post, camp, or other station, are under the immediate orders of the surgeon except prisoners, who will, however, be borne on the muster rolls, morning report, and returns of the hospital corps detachment. If discharged, their final statements will be prepared by the surgeon,

1439. At every permanent military post there will be at least one noncommissioned officer of the Hospital Corps, and an additional noncommissioned officer for every additional four privates of the Hospital Corps.

1440. At every permanent military post there will be at least four privates of the Hospital Corps, six privates when the strength of the garrison is 200, and two privates additional for every additional 100 of strength. They will be assigned to the respective duties connected with the hospital service by the surgeon of the post.

1441. The number of noncommissioned officers and privates of the Hospital Corps to be stationed at general hospitals, arsenals, engineer stations, and independent posts will be determined by the Surgeon General under the direction of the Secretary of War.

1442. Special instruction in the methods of rendering first aid to the sick and wounded will be given to all enlisted men of the Signal Corps and of the line of the Army by their company officers for at least twelve hours in each calendar year.

1443. All men of the Hospital Corps will be instructed under the supervision of the surgeon of the post in the duties of litter bearers and the methods of rendering first aid to the sick and wounded, and in the various subjects pertaining to the sanitary soldier.

NURSE CORPS (FEMALE).

1444. Army nurses will be appointed and discharged by the Surgeon General with the approval of the Secretary of War. They will be assigned to duty at hospitals under the direction of the Surgeon General.

1445. The Superintendent of the Nurse Corps, under the direction of the Surgeon General, will have general supervision of the corps, and her duties and the duties of chief nurses and nurses shall be as prescribed by the Surgeon General.

1446. The services of army nurses will be afforded sick and wounded officers, enlisted men, and other patients in military hospitals. When traveling under orders on transports they will assist in the care of sick officers and enlisted men, under the direction of the transport surgeon.

1447. Members of officers' and enlisted men's families are not entitled to the services of army nurses, but in great emergencies and for the manifest interest of the service, nurses will care for such patients when so directed by the officer in charge of the hospital, a report of the fact being made in each instance to the Surgeon General through military channels.

1448. At places where the services of trained nurses are not otherwise obtainable, a nurse may, if she so desires, and with the approval of the officer in charge of the hospital, be granted a special leave, without pay and allowances, in order to take a private case, such leaves not to exceed sixty days.

1449. The pay, allowances, and privileges of nurses are specified by law, and they are forbidden to receive presents from patients, or from the relatives or friends of patients, for services rendered when on duty.

GARRISON SERVICE.

AMBULANCES AND LITTERS.

1450. Ambulances are vehicles provided for the service of the Medical Department. They will be used only for transportation of the sick and wounded, the recreation of convalescent patients, or to give instruction in the duties of

the ambulance service. They will be furnished and repaired by the Quartermaster's Department, will always be subject to the call of the surgeon, and, when practicable, will be housed near the hospital.

1451. One regulation ambulance, with proper harness, will be issued to each post. To posts of more than 400 men, the number to be issued will be one additional ambulance for each additional 400 men or major fraction thereof.

1452. At each post one or more of the privates of the Hospital Corps will be designated by the surgeon as ambulance driver. In addition to his other duties, he will care for the ambulance, its equipment and harness, and see that they are always in readiness for immediate use. In the field he will care for the animals. When it is necessary to use the ambulance for any transportation purposes, the commanding officer, on the application of the surgeon, will see that the requisite animals are provided by the quartermaster and placed at the disposal of the surgeon.

1453. Each company will be furnished with one hand litter, which will be kept ready for use at all times. It will be supplied and repaired by the Quartermaster's Department.

1454. Travois, mule litters, etc., may be issued upon the recommendation of the chief surgeon.

1455. Commanding officers will inspect ambulances, litters, and other appliances for transporting the wounded at each monthly inspection and see that they are completely equipped. When practicable, the ambulance fully equipped for service will be presented for inspection, with the animals attached.

FIELD SERVICE.

1456. In field service, troops will be accompanied by such number of men of the Hospital Corps as may be determined by the military commanders on the recommendation of the senior medical officer, except where the number is fixed by the Field Service Regulations.

1457. On the march each medical officer will habitually be attended by a mounted private of the Hospital Corps. When practicable, horses will be furnished by the Quartermaster's Department and horse equipments by the Ordnance Department for those members of the corps on duty in the field who are authorized to be mounted. When no horses are available, special application for authority to hire must be made.

1458. Ambulances will be used for the transportation of the sick and injured, the absolutely necessary nurses or attendants on duty therewith, the instruction of the Hospital Corps, and, in urgent cases, for the transportation of medical supplies, and all persons are prohibited from using them, or requiring or permitting them to be used, for any other purpose. It shall be the duty of the officers of the ambulance service to report to the commander of the troops any violation of the provisions of this paragraph.

1459. No person, except the proper medical officers or the officers, noncommissioned officers, and privates of the ambulance service, or such persons as may be specially assigned by competent military authority to duty therewith, will be permitted to take or accompany sick or injured men to the rear, either on the march or elsewhere.

1460. When members of the Hospital Corps are detailed for service in the field during Indian wars, or when left with the sick or wounded under circumstances which justify the expectation that their rights under the Geneva Convention will not be recognized, commanding officers will issue to members of the Hospital Corps revolvers or other available firearms.

GENERAL HOSPITALS.

1461. General hospitals will be under the exclusive control of the Surgeon General and will be governed by such regulations as the Secretary of War may prescribe. The senior surgeon will command the same and will not be subject to the orders of local commanders other than those of territorial divisions and departments to whom specific delegation of authority may have been made.

1462. Hospital transports, boats, and railway trains, after being properly assigned as such, will be exclusively under the control of the Medical Department, and will not be diverted from their special purposes by orders of local or department commanders or officers of other staff corps.

1463. The Army and Navy General Hospital, Hot Springs, Ark., is under the direction of the Secretary of War, and is devoted to the treatment of the officers and enlisted men of the military and naval service of the United States, cadets at the United States Military and Naval Academies, officers of the Revenue-Cutter Service, officers of the Public Health and Marine-Hospital Service, and honorably discharged soldiers and sailors of the Regular and Volunteer Army and Navy of the United States, for such diseases as the waters of the Hot Springs of Arkansas have an established reputation in benefiting.

1464. Admission to this hospital is restricted to those of the above-named classes who require medical treatment in the following order of preference: (1) Officers and enlisted men of the Army, the Navy, and the Marine Corps on the active lists, and cadets at the United States Military and Naval Academies; (2) officers and enlisted men of the Army, the Navy, and the Marine Corps on the retired lists; (3) officers of the Revenue-Cutter Service and of the Public Health and Marine-Hospital Service; (4) honorably discharged soldiers and sailors of the Regular and Volunteer Army and Navy of the United States may also be admitted by authority of the Surgeon General when there are vacant beds in the hospital.

1465. The ration of enlisted men of the Army on the active list while under treatment and the ration of members of the Nurse Corps while on duty in this hospital will be commuted at the rate of 30 cents a ration, to be paid to the surgeon in charge by the post commissary or by such officer of the Subsistence Department as may be designated, conformably to the regulations governing the subsistence of patients and nurses at other army hospitals. The ration of the enlisted men of the Army on duty at this hospital will be commuted at the rate of 30 cents a ration, to be paid to the men by the commissary upon their individual receipts, conformably to the regulations governing such payments in other army cases. The subsistence of enlisted men of the Navy and of the Marine Corps on the active list under treatment in this hospital in pursuance of orders will be paid for to the surgeon in charge at the rate of 30 cents a day by the proper officer of the Navy Department, upon monthly statements of amounts due certified by the Surgeon General of the Army to the Surgeon General of the Navy through the prescribed channels.

1466. Enlisted men of the Army, the Navy, and the Marine Corps on the retired list and honorably discharged soldiers and sailors of the Regular and Volunteer Army and Navy of the United States will pay for subsistence at the rate of 40 cents a day.

1467. The General Hospital at Fort Bayard, N. Mex., is under the direction of the Secretary of War and is set apart as a sanitarium for the treatment of officers and enlisted men of the Army suffering from pulmonary tuberculosis.

1468. Officers and enlisted men on the active list of the Army may, in suitable cases, as determined by the War Department upon the recommendation of the proper medical officers, be ordered to the Army and Navy General Hospital

at Hot Springs, Ark., or to the General Hospital at Fort Bayard, N. Mex., for treatment. The recommendation of the medical officer in any such case, together with a full medical report of the case and a certificate by the medical officer stating the disability for which he recommends the transfer of the case to the hospital selected and his opinion that treatment in that hospital will conduce to the more rapid recovery of the patient, will be forwarded through military channels to The Adjutant General of the Army. Division and department commanders, however, need not forward to the War Department recommendations of this character which do not meet their approval.

Any enlisted man, who is unfitted for military service by reason of a disability that is either incurable, or, if the man is serving in his first enlistment, that is not curable within such a period as will enable the man to return to duty and to render full service for a considerable part of his enlistment, will not be recommended for transfer to the Army and Navy General Hospital or to the General Hospital at Fort Bayard. In any such case recommendation will be made in conformity with the provisions of paragraph 158.

The medical officer who certifies a case for transfer to either of these hospitals will be held responsible for the proper selection of the case, for the correctness of the diagnosis made therein, and for recommending at the proper time the transfer of the patient to the hospital selected.

Retired officers of the Army may apply directly to The Adjutant General of the Army for permission to enter these hospitals, the application in each case to be accompanied by the medical report and certificate hereinbefore prescribed for officers on the active list.

An enlisted man who is sent to Fort Bayard, N. Mex., for treatment, or his attendant if he has one, will be furnished by the commanding officer of his post or station with an official telegram blank, and will be instructed to telegraph from Deming, N. Mex., to the commanding officer of the hospital, reporting the train upon which the patient may be expected to arrive.

SERVICE OF HOSPITALS.

1469. The senior surgeon is charged with the management and is responsible for the condition of the hospital, which will be at all times subject to inspection by the commanding officer. The senior surgeon of the post will inspect the hospital every morning, and on Saturday will also inspect the detachment of the Hospital Corps.

1470. The surgeon of the post will assign his assistants and the members of the Hospital Corps to duty, and report them on the muster rolls in the capacity in which they are serving. With the approval of the commanding officer he will also appoint the matrons.

1471. Hospital matrons will be allowed at hospitals at posts and arsenals in numbers to be fixed by the Surgeon General.

1472. Patients will, if possible, leave their arms and accouterments with their companies.

1473. Whenever a soldier is detached from his company or other organization or station for treatment or observation by and under control of officers of the Medical Department, his company or other immediate commander will send the soldier's descriptive list directly to the medical officer in charge of the hospital or other place to which the soldier is or has been sent. If the list is not received by such medical officer in due time, he will make a direct call upon the proper officer to furnish the list. If no change occurs in the soldier's military status or accounts while he is under control of the Medical Department, his original descriptive list will be transmitted to the several officers under

whose charge he comes in the course of subsequent transfers, should such ensue, from hospital to hospital, by hospital ships, hospital trains, or otherwise, or when he is sent to an organization or station for duty. In case the soldier is returned or sent to, or receives a furlough at the expiration of which he is to return to or join, a particular company or other organization or station, the list will be sent directly to the immediate commander of such company or other organization or station. When an original descriptive list is transmitted as hereinbefore directed, it will be transmitted within, and by successive indorsements upon, a wrapper whereon each responsible officer will state expressly that there has been no change in the soldier's military status or accounts since he came under the charge of that officer, will specify the period covered by that statement, and will state what disposition was made of the soldier. Each officer so transmitting a descriptive list will retain a proper record of his action.

If, however, changes occur in a soldier's military status or accounts while he is detached from his company or other organization or station and is under the control of the Medical Department, the responsible medical officer will at once open a new descriptive list from the data shown on the old descriptive list received from the officer last previously responsible in the case, and will make such additional entries on the new list as the facts may require. For his own protection, the officer making the new list will retain and file, with the records of the place at which the new list is made, the old list with its wrapper, if there is any, bearing the indorsements of officers previously responsible. If subsequent transfers of the same soldier are made before or when he passes out of the control of the Medical Department, the new list so opened will be closed by the proper entries thereon and filed with the records of the place at which it was made, and a duplicate of the list so filed will be transmitted from each responsible officer to another by wrapper indorsement, as hereinbefore prescribed, so long as no change in the list is required.

Whenever a soldier detached from his company or other organization or station and under control of the Medical Department passes out of that control, his descriptive list (new or old, as the case may require under the foregoing provisions of this paragraph) will be forwarded at once by the responsible officer as follows: (*a*) In case of discharge, death, retirement, capture, desertion, return to duty, or upon receiving a furlough at the expiration of which the soldier is to return to his company or other organization or station, or upon being dropped, to the soldier's company or other immediate commander; (*b*) in case of transfer to another company or other organization or station, the list (new or old, as the case requires) to the immediate commander of the company or other organization or station to which, and a copy of the list, including copies of any wrapper indorsements pertaining thereto, to the immediate commander of the company or other organization or station from which, the soldier is transferred; (*c*) in case of transfer to the Government Hospital for the Insane, to The Adjutant General of the Army.

In the cases of soldiers detached from their companies or other organizations or stations and under the control of the Medical Department action will be taken by the proper medical officers as follows: If a soldier is discovered to be a deserter from the Navy or Marine Corps, paragraph 133 will be complied with; if a soldier is discharged, final statements will be furnished him; if a soldier dies, paragraph 161 will be complied with.

1474. Sick or wounded soldiers, discharged while in hospital, will be entitled to medical treatment in hospital, and to the usual ration during disability, or for the period considered proper for them to remain under treatment, but a discharged soldier who has left the hospital will not be readmitted except upon the written order of the commanding officer.

1475. Recently discharged soldiers, needing hospital treatment, who arrive in New York City, San Francisco, or other port on Government transports, may be sent to one of the military hospitals in the vicinity, and rations in kind drawn for them while undergoing treatment.

1476. Tents, clothing, hospital furniture, and other stores used in the treatment of contagious diseases will be disinfected or burned upon the recommendation and under the supervision of a medical officer.

1477. The Secretary of War may, on the recommendation of the Surgeon General, order gratuitous issues of clothing to soldiers who have had contagious diseases, and to hospital attendants who have nursed them, to replace articles destroyed by order of the proper medical officer to prevent contagion.

1478. Medical officers in charge of hospital property will not permit it to be used for other than hospital purposes.

1479. Civilian employees at military posts, including the employees of post exchanges, may be furnished the medical supplies prescribed for them by a medical officer under such regulations as the Surgeon General may establish in accordance with law.

1480. A civilian employee on duty at a station where other than army medical attendance can not be procured is entitled, when necessary, to admission to hospital.

1481. A civilian seaman or river boatman will be admitted to an army hospital only on permit issued by a medical officer of the Public Health and Marine-Hospital Service or by a customs officer, unless his condition demands immediate relief, when in the discretion of the post commander he may be admitted in advance of the receipt of the permit. Officers and enlisted men of the organized militia while attending national rifle contests or joint camps of instruction will be admitted to field hospitals of the Army on the approval, respectively, of the executive officer of the national matches or the commanding officer of the joint camps of instruction. Members of the families of officers and enlisted men requiring hospital treatment or isolation will be admitted to army hospitals when suitable accommodations for their care are available. Other civilians not in the public service will be admitted to hospital only in cases of extreme necessity, and by permission of the commanding officer on the written application of the surgeon. Their food will be purchased from the hospital fund when they have the means to reimburse that fund for such purchases. In cases of destitution rations may be issued to them under the conditions laid down in paragraph 1241.

1482. Hospital charges at the Army and Navy General Hospital, Hot Springs, Ark., and at the General Hospital at Fort Bayard, N. Mex., are governed by special regulations made from time to time. Subsistence charges for patients in other army hospitals, except field hospitals, will be as follows: For retired enlisted men of the Army, Navy, and Marine Corps, for enlisted men of the Navy and Marine Corps, and for civilians on the footing of enlisted men, 40 cents a day; for officers of the Army, $1 a day; for officers of the Navy, including warrant officers, and of the Marine Corps, and for civilians on the footing of officers, $1.25 a day. In field hospitals the subsistence charges for the above classes will be 30 cents a day, 50 cents a day, and 60 cents a day, respectively. When necessary to protect the hospital fund at posts in Alaska against actual loss the post commanders may prescribe an additional charge for each such patient not to exceed 25 cents a day. The money received for subsistence charges will be accounted for with the hospital fund.

A medicine charge of 25 cents a day will be made for all patients in army hospitals who are not entitled to medical care and treatment at the cost of

army appropriations, including officers and enlisted men of the Navy and Marine Corps, civilian employees and civilians, the money received therefor to be deposited in the Treasury of the United States to the credit of the proper appropriations and to be accounted for in due form accordingly.

The surgeon will determine in each case, subject to instructions from higher authority, whether civilian patients shall be on the footing of enlisted men or of officers.

Subsistence charges will be made for officers and enlisted men of the organized militia, admitted to field hospitals of the Army under paragraph 1481, at the rate of 50 cents a day and 30 cents a day, respectively, to be accounted for with the hospital fund, and medicine charges at the rate of 25 cents a day to be deposited to the credit of the proper appropriations. The subsistence charges for enlisted men and the medicine charges for officers and enlisted men will constitute charges against the allotments, under section 1661, Revised Statutes, to the State, Territory, or District of Columbia, to the militia of which the patients respectively belong.

1483. Officers and civilian employees of the Army should pay their indebtedness for hospital charges before leaving the hospital, or promptly at the end of every month if they then continue in the hospital.

If the hospital charges against an officer are not paid by the fifth day of the month immediately following that in which they were incurred, the commanding officer of the hospital will forward a statement of the indebtedness, through military channels, to the Surgeon General, for the action required by paragraph 1331.

A civilian employee who is unable to pay his hospital charges at the prescribed time will give a certificate of his indebtedness, in triplicate, on Form 49 A, Medical Department (marking one number "original," one "duplicate," and the third "triplicate"), to the commanding officer of the hospital, who will designate by indorsement thereon the officer to whom the amount of the indebtedness should be remitted, and will forward the original and duplicate at once through proper channels to the officer under whom the employee is serving, retaining the triplicate for his own files. The employing officer will refer the certificate to the paymaster or disbursing officer who is to pay the employee, and such paymaster or disbursing officer will deduct the amount of the indebtedness from the pay due, and will remit the amount so deducted to the officer designated to receive it. When an employee who is indebted for hospital charges dies before the indebtedness is settled, the commanding officer of the hospital will prepare an account thereof in duplicate certifying the same to be correct, and will forward one number to the employing officer for his information and guidance, and the second number, through the Surgeon General, to the Auditor for the War Department, retaining a copy for his own files. Should a certificate of the indebtedness have been given previously all the numbers thereof will be assembled and forwarded with the account for the Auditor. Ordinarily the commanding officer of the hospital where the employee was cared for will be designated as the officer who is to receive the amount of the indebtedness. But when the hospital is about to be or has been closed the chief surgeon having jurisdiction over it should be designated to receive the remittance; or if the field army or independent division, or the territorial division or department, under which the charges were incurred, is about to be or has been disbanded or discontinued, then the Surgeon General should be so designated. The Surgeon General should also be designated to receive remittances for hospital service rendered in general hospitals which have been or are about to be closed.

1484. The surgeon of a post or command, or the commanding officer of a general hospital or other sanitary formation, will keep, account for, and expend the hospital fund, according to the instructions of the Surgeon General, exclusively for the benefit of the sick in hospital and of the enlisted men of the Hospital Corps and members of the Nurse Corps on duty therein.

1485. Medical and official publications furnished from the Surgeon General's Office to surgeons in charge of hospitals will be properly filed and preserved in the hospital library. The expense of binding these publications and those issued to chief surgeons will be defrayed by the Medical Department, and they will be transported to and from the medical supply depots by the Quartermaster's Department.

HOSPITAL BUILDINGS.

1486. A building will not be erected for or occupied as a hospital until the opinion of a medical officer has been obtained in writing upon the suitableness of site and proposed arrangement. If the commanding officer dissent from this opinion he will return it to the surgeon of the post with his reasons indorsed thereon, who will forward it, through military channels, to the Surgeon General.

1487. Hospitals will be erected at permanent posts in accordance with plans and specifications furnished by the Surgeon General, approved by the Secretary of War.

1488. When alterations of or additions to hospitals are necessary, the surgeon of the post, after obtaining from the quartermaster an estimate of cost, will transmit plans and specifications, with proposed modifications, through military channels, to the Secretary of War. Similar action will be taken upon quarters for sergeants, first class.

1489. When hospitals or quarters of sergeants, first class, are erected or repaired, the officer conducting the work will consult the surgeon of the post, who will inspect the work during its progress; and when a building is ready for occupancy, the surgeon will report as to its merits to the Surgeon General, through the regular channel, and furnish a copy of the report to the constructing officer.

1490. The surgeon, after obtaining from the quartermaster necessary data as to the amount of labor, quantity of material, and cost, will forward on March 1 of each year, through military channels, to the Secretary of War, an estimate of repairs, alterations, or additions needed on hospitals and quarters of sergeants, first class, during the next fiscal year, with plans of the same, stating the condition of the buildings and necessity for repairs. The surgeon of the post will prepare and sign estimates for hospital construction and repairs, one copy of which is required by the Surgeon General. The number required at department headquarters is fixed by the department commander. When work is completed, the medical officer will report to the Surgeon General whether it was performed according to the estimate, and the material and balance of allotment remaining. Approved plans or estimates for construction or repair will be altered only by authority of the Secretary of War.

1491. The Surgeon General will furnish to the Quartermaster General, in sufficient time for his annual estimates, a statement showing the hospital repairs which will be needed during the ensuing year, with estimated cost of the same.

1492. No portion of any hospital building at a military post will be used or occupied as quarters, nor will any mess be permitted or maintained therein except such as may be necessary for patients and enlisted men there on duty.

SICK CALL.

1493. At sick call the enlisted men of each company who require medical attention will be conducted to the hospital or infirmary by a noncommissioned officer, who will give to the attending medical officer the company sick report book containing the names of the sick. The medical officer, after examination, will indicate in the book, opposite their names, the men who are to be admitted to hospital and those to be returned to quarters, noting what duties the latter can perform and any other information in regard to the sick which he may have to communicate to the company commander. The senior medical officer of every command (except independent medical units) promptly after sick call each morning will forward to the adjutant a report of the sick of the command on the prescribed form furnished by the Surgeon General. After the report has served its purpose at headquarters of the command the adjutant will enter in the proper columns the strength of the command for the day present and absent and return the report to the medical officer. Completed morning reports of sick will be preserved for a period of one year, unless the command is sooner discontinued, when they will be destroyed.

1494. Medical officers will furnish company commanders any information, except the diagnosis, which will assist them in determining, for entry on the muster rolls, whether or not the disability of a soldier who is or has been on sick report originated in the line of duty, entering this information in the company sick report book. When required they will furnish the diagnosis to the commanding officer.

MEDICAL ATTENDANCE.

1495. Medical officers and contract surgeons on duty will attend officers, enlisted men, contract surgeons, dental surgeons, members of the Nurse Corps, prisoners of war and other persons in military custody or confinement, and applicants for enlistment while held under observation; also, when practicable, the families of officers and enlisted men; and at stations, or in the field, where other medical attendance can not be procured, civilian employees. Medicines will be dispensed to all persons entitled to medical attendance, and hospital stores to enlisted men and hospital matrons, also to officers at posts or stations where they can not be procured by purchase.

1496. Medical officers and contract surgeons at their stations will furnish medical attendance to officers and enlisted men on the retired list, but they will not be required to leave their stations for that purpose. Medicines, dressings, etc., will be supplied to retired officers and enlisted men from army dispensaries on medical officers' prescriptions.

1497. Enlisted men sick at recruiting stations, excepting those with trivial disabilities or those with severe injuries which render their removal impracticable, will be sent by the recruiting officer for treatment to the nearest military hospital.

1498. When medical treatment, including medicine, nursing, and hospital care, is required by an officer, an enlisted man, a contract surgeon, a dental surgeon, or an army nurse, on duty with any command or detachment, by a prisoner in military custody, or by an applicant for enlistment held under observation, and can not otherwise be had, the commanding officer may employ the necessary civilian service to furnish the same, and just accounts therefor will be paid by the Medical Department. When the officer, the contract surgeon, the dental surgeon, or the nurse who requires such treatment is on duty without troops, or the enlisted man is on duty where there is no officer, he or she may arrange for the required service. When medical treatment is required by the

Superintendent of the Nurse Corps while on duty and can not otherwise be had she may in like manner procure the necessary civilian service, just accounts therefor to be paid by the Medical Department.

Accounts for the medical treatment of officers, enlisted men, contract surgeons, dental surgeons, the Superintendent of the Nurse Corps and nurses absent from duty, and of the families and servants of officers and men, are not payable from public funds. Accounts for consultation will not be allowed. Treatment of chronic complaints by a specialist will not be paid for unless authority to employ such specialist has been obtained from the Surgeon General. Surgical appliances will be paid for only upon satisfactory evidence of their necessity; and such evidence, except in cases of emergency, should be submitted to the Surgeon General for his approval before purchase. Accounts for hospital stores will be paid only for enlisted men.

1499. Accounts for different fiscal years will be rendered separately and will be forwarded to the chief surgeon, but if arising at an independent post or station, directly to the Surgeon General. If the accounts are for continuous service, they will be forwarded monthly; if for temporary service, promptly upon the completion of such service. Blank forms may be obtained from the Surgeon General on application. Separate forms are provided for physicians' bills, medicine bills, hospital bills, and special nursing bills.

1500. Accounts for medical attendance will be stated in the full name of the physician, and will give his address. The visits charged for will be set forth chronologically, giving under each date the full name, rank, company, and regiment or corps, or other appropriate description of the patients treated, the disease or injury in each case, and the charge. Additional visits made on the same day will be entered separately, and marked second visit, third visit, etc., and the necessity thereof must be explained, the patients named, and the separate charge therefor noted. The charges must not exceed the usual local rate or the maximum compensation authorized by regulations. Any unusual charge must be fully explained. The date and nature of surgical operations, with the particular charge therefor, will be indicated; also the dates of after attendance, if any, rendered without additional charge in surgical cases. If medicines charged for extra by the physician were supplied from his own stock, he must so certify and furnish an itemized list thereof. If the medicines were supplied by a druggist and paid for by the physician, the former's itemized receipted bill showing payment by the latter is required as a subvoucher, accompanied by the prescriptions, each prescription showing upon its face the date, the druggist's file number, the price, and the name of the patient for whom the medicines were prescribed. Medicines furnished by a druggist, but not paid for by the physician, will not be allowed in the latter's account. The physician will certify that the account is correct and just and that the charges do not exceed the customary local rate. When the charge is against a deceased person, the physician will certify also that he has not received the sum expressed, or any portion thereof. The responsible officer will certify to the correctness of the account, stating that the officers, enlisted men, contract surgeons, dental surgeons, and army nurses named were on duty; that the prisoners were in military custody, and that the applicants for enlistment were held under observation at the time and place of treatment, and state why it was impossible to secure the services of an army medical officer. When civilian medical attendance is procured by a contract surgeon or dental surgeon on duty without troops, he himself will give the prescribed certificate; when by the Superintendent of the Nurse Corps, she will give it; when by an enlisted man or nurse, he or she will make affidavit to the required certificate.

1501. The compensation allowed to civilian physicians for ordinary medical attendance on public account at garrisoned posts or camps will not exceed the following rates, and if the local charge per visit is less, the account will be rendered at the local rates: For attending post or sick call, five patients or less, $2.50; for each patient in excess of five, 50 cents; for each additional visit to post or sick call on the same day, when necessary, $2. Where there is a large sick report and the service will be required for an extended period, application will be made to the Surgeon General for authority to employ a physician by the month. Accounts arising at posts or camps under exceptional circumstances, all accounts arising at other places, and accounts for special or surgical services will be allowed at reasonable rates approved by the Surgeon General.

1502. Accounts for medicines furnished by a druggist and not paid for by the attending physician will be stated in the legal name (corporate, firm, or individual, as the case may be) of the druggist, will designate the place where the medicines were furnished, will be accompanied by the prescriptions, and must be only for medicines properly so called. The account will contain the date and file number of each prescription, the name, rank, company, and regiment, etc., of the person for whom the medicines were furnished, as required in paragraph 1500, and will state the charge for the medicines. The druggist will certify that the account is a just and correct statement of medicines furnished by him at the place specified to the persons named on the prescriptions submitted; that the medicines were actually furnished on said prescriptions to said persons on the dates so set forth, and that the prices charged are not in excess of those prevailing at said place. The responsible officer or contract surgeon will certify that the officers, enlisted men, contract surgeons, dental surgeons, Superintendent of the Nurse Corps, and army nurses mentioned in the account were actually on duty; that the prisoners were in military custody, and that the applicants for enlistment were held under observation, at the place specified, when the medicines were furnished for them as stated, and that there was no army dispensary in or near said place, if such be the fact. If there was an army dispensary in or near the place, but the medicines were procured elsewhere because it was closed when they were required, or because they were not on hand in such dispensary, the certificate should so state. When the medicines are procured by a dental surgeon on duty without troops, he himself will give the prescribed certificate; when by the Superintendent of the Nurse Corps, she will give it; when by an enlisted man or nurse, he or she will make affidavit to the required certificate.

1503. Accounts of civil hospitals should indicate the daily or weekly rate charged and the several items of service furnished by the hospital (such as medical attendance, medicines, nursing, lodging, board), and should be accompanied by the original agreement, if written, or, if not written, by a statement showing what the agreement was. In no case should the rate agreed upon or charged exceed the usual local rate for like service to private patients. If the hospital rate is itemized, as so much for board, so much for room, so much for medical attendance, etc., the item rates must be shown. Extras, such as ambulance service, use of operating room, etc., not covered by the daily or weekly rate must be separately itemized. The account will be authenticated in behalf of the Government by a certificate or affidavit similar to that prescribed in paragraphs 1500 and 1502, to which should be added a statement showing why the patient could not be cared for in an army hospital.

1504. Accounts of special nurses will set forth the full name and address of the nurse, the full name, rank, company, and regiment or corps, or other appropriate description of the patient, the disease for which he or she was treated, the dates of service and number of hours per day that service was rendered,

and the rate of pay per week or per month. Pay may be allowed at reasonable rates approved by the Surgeon General, not, however, exceeding $21 a week, except upon special authority granted by the Secretary of War. The nurse will certify that the account is correct and just, that the services were rendered as stated, and that the patient is not related to the nurse. The attending physician will certify that the services of a nurse were indispensable to the proper care of the patient; that the nurse was competent; that the services were rendered as claimed, and that the charges do not exceed the customary local rates for competent nurses. The account will be authenticated in behalf of the Government by a certificate or affidavit similar to that prescribed in paragraphs 1500 and 1502, to which should be added a statement showing why the patient could not be cared for in an army hospital or by a qualified attendant of the Hospital Corps. No accounts for nurses employed in trivial cases will be paid.

1505. When the charge is for the treatment of an individual officer, contract surgeon, or dental surgeon, or of the Superintendent of the Nurse Corps, and it is necessary for him or her to pay it, he or she may transmit the account to the Surgeon General for reimbursement. A reimbursement account will be stated in the prescribed form in the name of the original creditor, physician, druggist, nurse, or hospital, as the case may be. The fact of payment will be plainly stated by such creditor either in the certificate on the form or by separate receipt, and will be certified by the officer, contract surgeon, dental surgeon, or superintendent claiming reimbursement; both payer and payee will state the reasons that made such payment necessary.

1506. The compensation allowed to civilian physicians for the physical examination of applicants for enlistment, when authorized by regulations or orders, will be at the following rates: For a single recruit, $1; for two recruits on the same day, $1.50; for three recruits on the same day, $2; for four recruits on the same day, $2.50, and 40 cents for each recruit over four examined on any one day. A physician employed at different recruiting stations will be allowed the above rates in full for the examinations at each station. He will be allowed 50 cents for each authorized vaccination. Accounts for examination and vaccination of recruits will show the physician's address and the particular location of the recruiting station, the number of applicants examined each day and the charge, and the number of men vaccinated each day and the charge. The recruiting officer will certify that the men examined were applicants for enlistment, and that the men vaccinated were recruits enlisted and duly sworn, or applicants accepted for enlistment, as the case may be.

1507. Civilian physicians employed, in the absence of a medical officer or contract surgeon, to examine physically or vaccinate enlisted men, under these regulations or orders from competent authority, will be paid at the rates prescribed above for the examination and vaccination of recruits.

MEDICAL SUPPLIES.

1508. Purchase of medical supplies will be made in pursuance of law, under the direction of the Surgeon General.

1509. The routine issue of disinfectants is prohibited.

1510. Damaged or unserviceable medicines, medical books, surgical or scientific instruments and appliances, pertaining to the Medical Department, will not be presented to an inspector for condemnation until authority for so doing has been obtained from the chief surgeon of the division or department.

RETURNS.

1511. Each chief surgeon will make to the Surgeon General on the last day of every month a return of medical officers, dental surgeons, and physicians under contract.

ARTIFICIAL LIMBS.

1512. Every officer, enlisted man, or employee of the military forces of the United States who, in the line of duty, or through disease contracted in service, shall have lost a limb, or the use of a limb, will receive once every three years an artificial limb or appliance, or commutation therefor if he shall so elect, under such regulations as the Surgeon General of the Army shall prescribe. The money value allowed as commutation is, for a leg, $75; for an arm, foot, and apparatus for resection, $50.

1513. Necessary transportation, including sleeping-car accommodations, required for travel to place where artificial limbs may be fitted, will be furnished by the Quartermaster's Department, the cost to be refunded from any money appropriated for the purchase of artificial limbs.

1514. An officer who pays an account for transportation of persons to enable them to procure artificial limbs will take credit for amounts paid for such transportation in the usual manner on his accounts current, and the vouchers evidencing the payments will accompany the accounts to the Auditor for the War Department for settlement. For the convenience of the Auditor in adjusting the appropriations involved the vouchers should bear conspicuously across their face a notation reading, "Transportation to have artificial limbs fitted."

ARTICLE LXXVIII.

CORPS OF ENGINEERS.

NOTE.—Regulations for the government of the Corps of Engineers, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Chief of Engineers. Only such regulations are herein given as are general in their nature or affect other branches of the service.

1515. The duties of the Corps of Engineers comprise reconnoitering and surveying for military purposes, including the laying out of camps; selection of sites and formation of plans and estimates for military defenses; construction and repair of fortifications and their accessories; the supervision of the location of all buildings in or within 1 mile of any fortification; the installation of electric power plants and electric power cable connected with seacoast batteries, and furnishing the necessary electrical supplies connected therewith; planning and superintending of defensive or offensive works of troops in the field; examination of routes of communications for supplies and for military movements; construction and repair of military roads, railroads, and bridges; military demolitions; execution of river and harbor improvements assigned to it; and such other duties as the President or Congress may order. It collects, arranges, and preserves all correspondence, reports, memoirs, estimates, plans, drawings, such deeds and titles as relate to the Washington Aqueduct and public buildings and grounds in the District of Columbia, and models which concern or relate in any wise to the several duties above enumerated.

1516. The Chief of Engineers will have his headquarters at Washington, D. C., and will be charged, under the direction of the War Department, with the command of the Corps of Engineers, both staff and line, excepting such portions as are specifically detached by order of the War Department, and with the management of the Engineer Department, including the regulation of the duties of all officers, agents, and others who may be employed under his direction.

1517. When officers or troops of the Corps of Engineers are detached from the command of the Chief of Engineers they will continue to conform to the regulations of the Engineer Department in regard to the keeping of records and rendering of reports and accounts.

1518. Officers and troops serving under the immediate orders of the Chief of Engineers will not be diverted from such service except in cases of marked public exigencies, and when so diverted the officers will immediately report the facts to the Chief of Engineers, forwarding a copy of the orders they may have received. The officer issuing the order will transmit a copy directly to the War Department. Upon the termination of the exigency such officers or troops will be returned to their prior service, unless otherwise directed by the Chief of Engineers.

1519. The senior officer of engineers commanding engineer troops serving with an army, corps, or independent division in the field will be attached to general headquarters of that organization, but will not be a member of the staff of the commanding officer unless specifically so appointed.

1520. The senior officer of engineers serving with an army corps, a division, a brigade, or smaller body, will communicate to the commander thereof any orders received from any engineer officer who has authority to issue such orders.

1521. An engineer directed to superintend any works to be constructed by troops will point out what is to be done, and will maintain such a supervision as will enable him to see that it is done correctly. It will be the duty of the officer having charge of the detachment to execute the work in accordance with the instructions of the engineer officer in charge. The detail of troops for work to be carried on under the superintendence of engineers will be furnished on requisition addressed to the officer in chief command of the troops by the senior engineer officer on the staff of that command. The requisition will specify the number of men required, the times and places at which they will assemble to commence work, and the name and rank of the engineer officer to whom they will report. The requisition may be for part of a day or night, for a whole day or night, for a week or a longer period, according to circumstances, the duration of the service always being specified.

1522. When on duty in the field with armies or other independent organizations, engineer officers making surveys and reconnaissances will at once forward their maps and reports of operations to the proper officer at headquarters, who will report directly to the commanding officer at those headquarters.

1523. The senior engineer officer serving with an army or other independent organization in the field will, subject to the approval of his commanding officer, report monthly to the Chief of Engineers, United States Army, the operations of the engineer force under his direction sufficiently in detail to show the nature and extent of the operations and the respective portions executed by the several engineer officers engaged therein.

1524. The senior engineer officer will also cause to be made plans of all works executed under his direction, and will cause journals to be kept, showing by drawings and descriptions, as far as practicable, each day's events. These plans and descriptions, with maps of all surveys and reconnaissances and explanatory reports or memoirs, will be carefully preserved and transmitted at suitable opportunities to the Chief of Engineers, United States Army.

1525. When an engineer officer is sent to any military department, fortress, garrison, or post, a duplicate of his orders will be sent to the commanding officer. On his arrival the engineer officer will communicate his orders, and necessary facilities for executing them will be afforded by the commanding officer. While so on duty, without being especially put under the direction of the commanding officer, the engineer officer will be furnished with copies of all orders and regulations of the command relative to etiquette and police and with the countersign when quartered within a chain of sentinels. The engineer officer will report to the commanding officer when relieved from duty within the limits of the command.

1526. Engineer officers engaged in the construction of fortifications or other public works are entitled to the same allowances as are provided by regulations for officers at garrisoned posts.

1527. No alterations will be made in any fortification or in its casemates, quarters, barracks, magazines, storehouses, or any other building belonging to it, nor will any building of any kind, or work of earth, masonry, or timber be erected within any fortification, or within a mile of its exterior, except under the direction of the Chief of Engineers, United States Army, and by authority of the Secretary of War.

1528. When the Chief of Engineers is satisfied that any fortification or any of its accessories is in all respects complete, so far as the functions of his department are concerned, he will give notice thereof, in writing, to the Chief of Staff, that it may be turned over to the troops for use and care. Until its completion has been so announced, no work will be occupied by troops except by the special order of the War Department.

1529. Officers of the Corps of Engineers, or those on engineer duty, traveling on service connected with fortifications or works of public improvement will be paid their travel allowances from the special appropriation for the work. When traveling on any other duty, the mileage will be paid by the Pay Department.

1530. When necessary in field operations, an engineer officer shall be detailed as director of communications, charged with all road and railroad work and operation between the rear of the army and the advanced field base. He shall be under the orders of the general commanding in the field and shall submit requisitions for the funds required for his work through the headquarters of that officer, disbursements to be made and accounts rendered under the regulations for the control of the Engineer Department.

1531. In operations in the field, transfers of funds and material pertaining to the engineer work of a command may be made between officers of the command on the order of the commanding officer.

1532. Engineer supplies will be issued to the organized militia of the several States, Territories, and the District of Columbia in accordance with the provisions of "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903, as amended by the act of Congress approved May 27, 1908, upon proper requisition therefor.

ARTICLE LXXIX.

Ordnance Department.

Note.—Regulations for the government of the Ordnance Department, prepared and published under authority of the Secretary of War, are distributed to its officers by the Chief of Ordnance. Only such regulations are herein given as are general in their nature or affect other branches of the service.

GENERAL PROVISIONS.

1533. The Chief of Ordnance is charged with the duty of procuring, by purchase or manufacture, and distributing the necessary ordnance and ordnance stores for the Army and the organized militia, and establishes and maintains arsenals and depots for their manufacture and safe-keeping. All officers or other persons in the military establishment, to whom ordnance and ordnance supplies or funds are intrusted, will make accounts and returns thereof to the Chief of Ordnance at the times and in the manner prescribed.

1534. Ordnance and ordnance stores include cannon and artillery vehicles and equipments; apparatus and machines for the service and maneuver of

artillery; small arms, ammunition, and accouterments; horse equipments and harness for the field artillery, and horse equipments for cavalry and for all mounted men except those in the Quartermaster's Department; tools, machinery, and materials for the ordnance service, and all property of whatever nature supplied to the military establishment by the Ordnance Department.

ISSUES AND SALES.

1535. In time of peace, ordnance and ordnance stores are issued from the various arsenals and depots, to the extent authorized by regulations, on requisitions submitted in accordance with existing orders.

1536. In time of war, issues may be made to troops in service on the order of any general or field officer commanding an army, garrison, or detachment, or of a chief ordnance officer of an army, army corps, or division. To authorize an issue to militia, they must have been regularly mustered into the service of the United States and the requisition for the stores must be properly approved.

1537. The Chief of Ordnance will, on the recommendation of a division or department commander, approved by the Secretary of War, establish ordnance depots at such points as may be designated by the Secretary of War, where ordnance stores will be held for distribution to the troops, under such regulations as the division commander may prescribe.

1538. When practicable, these depots will be under the charge of ordnance officers, and only such limited supply of ordnance stores as may be required to meet current needs will be kept at or issued from them. All other ordnance stores will be supplied from the arsenals, as provided in paragraph 1535.

1539. Requisitions for ordnance supplies to meet current needs will be filled from a depot, under the instructions of the division or department commander. The officer in charge will be responsible, under the division or department commander, that sufficient stores, procured by timely requisitions upon the Chief of Ordnance, are always on hand. Unserviceable and unsuitable ordnance and ordnance stores at such depots are under the control of the Chief of Ordnance.

1540. Requisitions for ordnance and ordnance stores not on hand within a department must be approved by the immediate commanders. The personal approval of the department commander or of the chief ordnance officer of his department is necessary, but in the absence of the department commander the approval may be made in his name by one of his staff officers.

1541. Requisitions will be made in conformity with the supply tables prepared by the Chief of Ordnance, unless extraordinary circumstances, to be plainly set forth in each case, should require a larger supply of one or more of the articles authorized.

1542. The service arms, ammunition, accouterments, and horse equipments required by an officer or contract surgeon for his own use in the public service may be sold to him by the Ordnance Department at the regulation price and the money received passed to the credit of the proper appropriation. Ordnance supplies thus sold to officers or contract surgeons will not be disposed of to persons not in the military service. Necessary repairs to the service arms and equipments of an officer or contract surgeon will be made by the Ordnance Department at the cost of these repairs. Officers or contract surgeons making purchases or having repairs done will furnish certificates of the fact that these sales or repairs are for their own use in the public service. Officers below the grade of major, required to be mounted, will be furnished with horse equipments by the Ordnance Department. One set of these equipments will be issued to each officer by the ordnance officer of the command with which he is serving on requisition duly approved by the commanding officer, which requisition shall

state the cause of the required mounted service. Officers not serving with commands having an ordnance officer and entitled to receive horse equipments under this paragraph will submit requisition therefor through military channels for action by proper authority designating the officer to make the issue. Equipments thus issued will be accounted for semiannually to the Chief of Ordnance on special individual returns. Articles of the equipment which become unserviceable shall be submitted to the action of an officer of the Inspector General's Department, and upon his recommendation to that effect may be turned in and new articles issued in exchange therefor. No part of the equipment shall be exchanged except upon the recommendation of an inspector. An officer to whom horse equipments have been issued under the provisions of this paragraph upon his promotion to field rank or the termination of mounted service will turn in to the nearest ordnance officer, or acting ordnance officer, all such equipments for which he is responsible.

1543. When the arms or equipments authorized to be purchased in the preceding paragraph can not be obtained from an ordnance officer, officers may take from those for which they are accountable such articles as they require for their personal use or may furnish them to officers or contract surgeons of their commands for like purpose. In such cases the accountable officer will deposit the proceeds of the sales as required by paragraph 628 and make the report required by paragraph 623. At the end of each month an abstract of such sales on Form No. 272 will be prepared in duplicate and forwarded to the Chief of Ordnance. A third copy will be forwarded with the property return of the officer.

1544. Officers serving with troops may draw for their personal use, from stores belonging to the command with which they are serving, 1 regulation rifle and 1 revolver, with the appropriate equipments and the usual quantity of ammunition for each arm. This ordnance property may be used in action or target practice and will be accounted for on returns to the Chief of Ordnance.

1545. Ordnance stores will not be loaned to any person, and any officer violating this rule will be held responsible for the money value of the articles.

1546. Issues and transfers of ordnance stores will not be made on memorandum invoices and receipts, except in special cases authorized by and subject to instructions from the Chief of Ordnance.

1547. An officer who makes an issue of ordnance stores to one not in command of troops, except under orders from competent authority, will be charged with the money value of the stores so issued.

1548. Civilian employees of the War Department may be armed when necessary for the protection of life or public property, and the same responsibility attaches to the officers accountable for the arms furnished them that attaches to those accountable for the arms in the hands of enlisted men. The sale of ammunition to civilians belonging to exploring or surveying expeditions authorized by law, and to civilian employees of the War Department, may be made for hunting purposes when considered necessary for their subsistence or for the interest of the United States. In the field the sale of meat cans, canteens, knives, forks, and spoons, when they can be spared, to an officer in charge of civilian employees for their use, is authorized, provided they can not be obtained in any other way.

1549. Arms lost, destroyed, or embezzled by civilian employees will be charged in the same manner as stores similarly lost by enlisted men; and the money value thereof accounted for as in case of sales made in accordance with paragraph 1543.

EXPENDITURE OF AMMUNITION.

1550. Ammunition will be expended only in target practice, preliminary instruction of the soldier, military exercises, and hunting, all within the pre-

scribed allowances; in action; in defense of life or public property; in carrying out the prescribed duties of sentinels, and for authorized salutes.

1551. The officer's certificate as to the necessity for all expenditures of ammunition must accompany his property return, and when ammunition is dropped from his return as "expended in action by civil employees," a statement giving the place, date, and attending circumstances, sufficiently in detail to insure verification, must be filed with the return.

1552. Ammunition expended by a soldier without orders, or not in the line of duty, or which may be damaged or lost through his neglect, will be charged to him.

1553. When ammunition is furnished to civilian employees, it is not to be dropped from the returns unless expended in action or in hunting when necessary to obtain subsistence. Ammunition not so expended will be returned to the responsible officer and accounted for by him, or paid for at the price fixed.

SURPLUS AND DAMAGED STORES.

1554. Serviceable surplus ordnance stores, if in sufficient quantity to warrant separate shipment, may be turned in to the nearest arsenal on the order of a department commander, or, if in the hands of a recruiting officer, on the order of the War Department.

Small quantities of such articles on hand in an organization, not warranting separate shipment, will be turned in to the post ordnance officer, who will retain them for issue or ship them as prescribed in paragraph 1560, as may be directed by the department commander.

1555. Officers in charge of arsenals and ordnance depots will afford every facility to officers authorized to turn in property. They will give receipts for it according to condition.

1556. Whenever canteens become unserviceable because of worn-out covers or lost corks, they will not be presented for condemnation, but will be repaired by the troops. Timely requisitions will be made on the Ordnance Department for extra covers, corks, etc., with which to repair them.

1557. Articles of personal equipments or other ordnance property which a detached soldier carries with him, or for which he may be indebted to the United States at the time of his transfer, will be entered on duplicate invoice and receipt transfer blanks (Form No. 152). The blanks will, when practicable, indicate the destination of the soldier. The two transfer blanks will be signed by the accountable officer or the issuing officer in his name, and by the soldier acknowledging receipt of the stores, including those missing. One of these signed blanks will be forwarded with the descriptive list or descriptive and assignment card of the soldier; the second constitutes the authority on which the accountable officer will drop the articles thus turned over and missing.

On arrival of the soldier at his destination all articles appearing on the transfer blank accompanying the descriptive list or descriptive and assignment card will be taken up by the proper officer, who will receipt for the same on this blank and forward it immediately to the Chief of Ordnance. All articles missing on arrival will be charged against the soldier and dropped from the return of the accountable officer in the usual manner.

A copy of the transfer blank will be kept by each accountable officer for his retained return.

1558. Detached soldiers going to or returning from the Philippine Islands and Alaska will be required to turn in all ordnance property in their possession before departure.

1559. Ordinary repairs can usually be made in the company or at the post or within the district with the means provided for that purpose by the Ordnance Department. When the repairs required cannot be thus made, the articles, except small arms, hand arms, and personal and horse equipments, will be sent, on the approved recommendation of an inspector, to an arsenal designated by the Chief of Ordnance. Small arms, hand arms, and personal and horse equipments, on the approved recommendation of an inspector, will be turned in to the post ordnance officer, who will, when sufficient stores have accumulated to make an economical shipment, send them to an arsenal designated by the Chief of Ordnance. A certified extract from the inspection report will accompany the invoice describing the articles as the authority for turning them in to an arsenal, or to the post ordnance officer.

1560. In the absence of an inspecting officer, a department commander may order the disposition of ordnance and ordnance stores which need repairs that can not be made by the means at hand at the post or within the district in the following manner: Machine guns and their mounts and accessory equipments, arm racks, and, on the request of an armament officer, articles constituting the mobile or seacoast artillery and those used in the maintenance and operation thereof, including ammunition, will be sent to an arsenal designated by the Chief of Ordnance. Small arms, hand arms, and personal and horse equipments will be turned in to the post ordnance officer, who will, when sufficient stores have accumulated to make an economical shipment, send them to an arsenal designated by the Chief of Ordnance. A certified copy of the order of the department commander and, when the condition of the articles does not result from fair wear and tear, a certified copy of the approved finding of the surveying officer will accompany the invoice transferring the articles to an arsenal or to a post ordnance officer.

1561. For the maintenance and improvement of the mobile and seacoast artillery and accessories, armament districts are established in orders from the War Department, and the assignment of armament officers to the charge of these districts is made by the Chief of Ordnance. These officers will keep themselves informed of the condition of the material by inspections and by direct correspondence with the various district and post commanders. The former are authorized to make the necessary repairs to material in their districts, but no alterations can be made without the authority of the Chief of Ordnance. Where repairs indicate improper handling or neglect of material, the circumstances will be reported to the Chief of Ordnance.

When mechanics employed by an armament officer are on duty at a post or in a district, they will, in the absence of the armament officer, be under the supervision of the post or district commander.

When a part of or an accessory to an article constituting a portion of the armament of a district becomes obsolete and is replaced, the obsolete part or accessory will be transferred by the district commander to an arsenal to be designated by the armament officer.

1562. No officer will turn in any unserviceable ordnance stores except as provided in these regulations.

1563. Price lists of ordnance and ordnance stores will be published from time to time for the information and guidance of officers in making inventories, sales, and charges for the loss of or damage to ordnance property.

1564. Arm chests not required for the storage of supplies will be returned to the nearest arsenal or ordnance depot when the cost of transportation is not greater than the value of the property. Officers to whom such chests have been issued will be charged with their value if they are destroyed.

INSPECTION OF ORDNANCE AND ORDNANCE STORES.

1565. When the recommendation of an inspector for sale of ordnance stores is approved, two copies of the report will be returned to the officer accountable for the stores, with detailed instructions how to make the sales, and one copy transmitted to the Inspector General. One copy of each inventory and inspection report must accompany the property return. Sales of condemned ordnance and ordnance stores will be accounted for on Form No. 272, which will be executed in duplicate and forwarded direct to the Chief of Ordnance on completion of the sale. A third copy will accompany the officer's property return.

PACKING AND TRANSPORTATION.

1566. Officers who ship arms of any description are held responsible that they are so packed that, under ordinary handling, they can not break loose from their fastenings in the boxes, and that no loaded arm is packed for transportation. When loaded arms, or arms insecurely packed, are received by an officer, he will report the facts direct to the Chief of Ordnance.

1567. After packing arms or ordnance stores for shipment, the covers and bottoms of the arm chests and packing boxes will, if possible, be sealed with wax and stamped with an official mark by the officer responsible. The lid will be secured by screws, at least two of which will be sealed. Each board on top and bottom will have at least one sealed screw. The screw heads will be countersunk to a depth sufficient to protect the wax seal from injury. The design of the seal will designate the arsenal, depot, post, or organization from which shipment is made. For over-sea shipments, all boxes and crates will be properly strapped with wire or hoop iron. Boxes containing arms and other valuable stores will be sealed prior to shipment from ordnance establishments in accordance with special instructions from the Chief of Ordnance.

1568. The Ordnance Department will prepare official stamps for sealing boxes and distribute them to each company. Company commanders will account for them in their returns of ordnance stores and use them exclusively for purposes intended.

1569. In preparing property for shipment, the name of the invoicing officer, or of the arsenal or depot, the date of the invoice, the number, gross weight, and general contents of each box or package, and the name or designation of the receiving officer will be distinctly marked thereon prior to delivery for shipment. Each quartermaster who ships or receives ordnance stores will satisfy himself that the seals on the packages are unbroken. If the seals should be broken and any stores lost, he will cause the value of the lost stores to be charged to the carrier.

1570. When stores are turned over to the Quartermaster's Department for transportation they will be accompanied by triplicate invoices, one of which will be receipted and returned by the shipping quartermaster to the invoicing officer. Duplicate invoices with duplicate receipts to be signed by the receiving officer, and a shipping list describing the contents of each box or package, will be sent direct to the receiving officer by mail, to reach him, if practicable, before the receipt of the stores. Materials procured for current use at ordnance establishments will be transported at the expense of the Ordnance Department.

RETURNS AND REPORTS.

1571. Officers accountable for ordnance and ordnance stores will render the returns and statements required by Ordnance Property Regulations.

1572. Records of artillery firing will be kept at seacoast forts and by organizations of mobile artillery, as prescribed in instructions from the War Department, and a copy forwarded directly to the Chief of Ordnance.

1573. Requisitions for blanks and blank books required for the use of the Ordnance Department will be made quarterly, or when needed, by every regiment and company. Those suited to every command and arm of the service can be obtained upon application to the Chief of Ordnance.

1574. In the care and preservation of artillery material, magazines, small arms, etc., the instructions contained in the authorized Manual of Coast Artillery and the publications of the Ordnance Department will be observed.

TESTS AND EXPERIMENTAL TRIALS.

1575. No written or pictorial description of tests by this Government of arms or munitions of war will be made for publication without the authority of the Secretary of War, nor will any information, written or verbal, concerning them which is not contained in the printed reports and documents of the War Department be given to any unauthorized person.

1576. Except by special authority of the Secretary of War, no persons other than officers of the Army and Navy of the United States and members of Congress in their official capacity, and persons in the service of the United States employed in direct connection with such tests, will be allowed to witness the same.

1577. Until further orders, inventors and manufacturers, or their properly accredited representatives, will also be permitted to be present at tests of and experiments with their own inventions.

Commanding officers of ordnance establishments and other military posts are authorized to pass such persons into them when they present the necessary credentials, but only for the purpose stated. Access to parts of commands not involved in the tests and experiments and to any war material, or to any means of obtaining knowledge of the same, is prohibited.

ARTICLE LXXX.

Signal Corps.

Note.—Regulations for the government of the Signal Corps, and for the operation and maintenance of United States military telegraph lines and cables, prepared and published by the Chief Signal Officer of the Army, under authority of the Secretary of War, are distributed to officers and men by the Chief Signal Officer. Only such regulations are herein given as are general in their nature or affect other branches of the service.

1578. The Chief Signal Officer is charged with the direction of the Signal Corps of the Army; with the control of the officers, enlisted men, and employees attached thereto; with the construction, repair, and operation of military cables, telegraphic and telephonic lines and wireless installations, field telegraph trains, balloon trains, and furnishing and installing instruments and connecting cables used for transmitting information in connection with fire control at seacoast fortifications; with the preparation, distribution, and revision of the War Department Telegraphic Code; with the supervision of such instruction in military signaling and telegraphy as may be prescribed in orders from the War Department; with the procurement, preservation, and distribution of the necessary supplies for the Signal Corps and for signaling installations of the lake and seacoast defenses. He has charge of all military signal duties, and of books, papers, and devices connected therewith, including telegraph and telephone apparatus and the necessary meteorological instruments for target ranges

and other military uses; of collecting and transmitting information for the Army, by telegraph or otherwise, and all other duties pertaining to military signaling.

1579. Men may be enlisted for the Signal Corps, at the discretion of the Chief Signal Officer of the Army, in the class or grade for which they are competent and in which there is a vacancy. They will be promoted and reduced in the class or grade, as fixed by law, by the Chief Signal Officer of the Army or by his authority.

1580. The senior signal officer of an army in the field commands the signal parties serving therein. Orders affecting them will be transmitted through him, and he will be responsible that they are fully instructed, adequately supplied, and that they properly perform their duties. He will keep himself informed of the position of the army and of the enemy, and, under the instruction of the general commanding, will establish his stations. He will submit reports of operations to the general commanding, and forward copies thereof to the Chief Signal Officer in Washington, to whom he will report monthly his station, the strength and condition of his parties, and all other matters pertaining to their duties and equipment.

1581. When telegraph lines are placed under charge of signal officers, they will be held responsible for their construction, maintenance, and operation. Commanding officers and others will see that the special duties of these officers are not interfered with, and upon proper application will render any assistance in their power.

1582. Communications transmitted by telegraph or signals are always confidential, and will not be revealed except to those officially entitled to receive them, or in cases specially ordered by competent military authority.

1583. Official and military messages will have precedence. Subject to modification in orders from the War Department, or by order of the commanding general of the army in the field, important dispatches will be usually sent in the following order of priority, due regard being had to the relative urgency of messages in the same class:

First. Those relating to the movement or administration of the army in the field, and of the Navy.

Second. Other messages relating to the Army, to the Navy, and to governmental departments or bureaus of the United States.

Third. Messages of State, Territorial, or other civil officials, relating to public business.

Fourth. Messages between diplomatic agents of neutral governments.

Fifth. Press messages.

Sixth. Miscellaneous business, those relating to death or serious illness having priority.

Unimportant dispatches of any class must not, however, be given precedence over important dispatches of a subordinate class.

2. Dispatches containing matter deemed to be injurious to the public interests must be submitted to the commanding general for his orders relative to their transmission. On detached lines such messages will be submitted to the senior officer or noncommissioned officer for his action.

3. Officers and soldiers are strictly prohibited from communicating, except to commanding officers or under special authorization from proper military authority, information by telegraph, or otherwise, relative to numbers, movements, or operations of troops, or details regarding fortifications, armaments, or experiments made in connection with military affairs. Neither shall they be permitted to file or send dispatches containing opinions on military opera-

tions or other military matters relating to any part of the army or command with which they are serving, or to any auxiliary forces.

4. Personal and press messages may, under conditions not interfering with military business, be transmitted free over field military telegraph lines that are closed to the general public.

5. The use of any cipher is forbidden, except in communication to and from commanding officers and their superiors, or in cases of civil officers specially authorized. Personal and press codes, however, may be utilized for the economical transmission of dispatches upon filing a copy of the code with the central office and under such other regulations as may be formulated by the general commanding an army in the field.

6. The chief signal officer of an army operating in the field, or of a district under military control, in carrying out his general instructions will formulate necessary regulations for the management and operation of military telegraph lines under his control. General rules should be reduced to writing, be clearly defined, and impartially enforced.

1584. The department commander will supplement the operations of the Signal Corps of the Army by such instruction in practice in military signaling as may be necessary for the public service. He will cause each troop, battery, and company commander to have at all times at least two available enlisted men able to exchange messages in the Army and Navy code at short distances by flag.

1585. Whoever shall willfully or maliciously injure or destroy any of the works, property, or material of any telegraph, telephone, or cable line, or system, operated or controlled by the United States, whether constructed or in process of construction, or shall willfully or maliciously interfere in any way with the working or use of any such line, or system, or shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such line, or system, shall be fined not more than $1,000, or imprisoned not more than three years, or both.

1586. Officers of the Army may purchase from the Signal Corps articles of signal corps equipment, provided the property is available. They will certify that the articles are for their personal use. The price to be paid by an officer for such property will be the cost price to the Government. Code cards and instructions for visual signaling will be furnished by the Chief Signal Officer of the Army upon application. Signal supplies will be furnished by the Signal Corps to posts and such organizations as require them on requisitions approved by department commanders. All officers or other persons in the military establishment to whom signal supplies are issued will render accounts and returns therefor to the Chief Signal Officer of the Army on forms furnished for that purpose.

1587. Signal supplies will be issued to the organized militia of the several States, Territories, and the District of Columbia in accordance with the provisions of "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903, as amended by the act of Congress approved May 27, 1908, upon proper requisition therefor.

1588. Telescopes, field glasses, telephones, and expensive electrical apparatus of the Signal Corps when unserviceable will not be submitted to an inspector for condemnation without previous authority of the Chief Signal Officer of the Army.

1589. Quartermasters and commissaries will issue to signal parties serving in their vicinity, on the requisition of the officer in charge, such supplies from their respective departments as may be necessary for their proper equipment and subsistence.

1590. Electrical engineers and other technical employees of the Signal Corps shall, while serving on transports or other Government vessels used as cable ships, be entitled to subsistence in the same manner as employees of the Quartermaster's and Commissary Departments serving thereon.

ARTICLE LXXXI.

Uniform.

1591. The uniform and equipments of officers and enlisted men will be prescribed in special regulations published by authority of the Secretary of War.

ARTICLE LXXXII.

Manuals of Staff Departments and Blank Forms.

1592. Manuals issued by the staff departments and approved by the Secretary of War, when not in conflict with any of the provisions of these regulations or of general orders or circulars of the War Department, will have equal force therewith.

1593. The standard blank forms used in army administration, with the notes and directions thereon, have the force and effect of Army Regulations. New forms or alterations will not be made without the authority of the Secretary of War, and the date on which a form or alteration was authorized will be printed on the form itself. All notes or directions on these blanks will, prior to their issue, be approved by the Secretary of War. These forms and lists of them will be furnished by the chiefs of the various bureaus and offices of the War Department. Requisitions therefor will call for them by number and name.

1594. Manuscript returns, rolls, certificates, and other documents are prohibited when the proper printed forms are on hand.

ARTICLES OF WAR.

SECTION 1342, Revised Statutes. The armies of the United States shall be governed by the following rules and articles. The word officer, as used therein, shall be understood to designate commissioned officers; the word soldier shall be understood to include noncommissioned officers, musicians, artificers, and privates, and other enlisted men, and the convictions mentioned therein shall be understood to be convictions by court-martial.

ARTICLE 1. Every officer now in the Army of the United States shall within six months from the passing of this act, and every officer hereafter appointed shall, before he enters upon the duties of his office, subscribe these rules and articles.

ART. 2. These rules and articles shall be read to every enlisted man at the time of, or within six days after, his enlistment, and he shall thereupon take an oath or affirmation, in the following form: "I, A B, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and articles of war." This oath may be taken before any commissioned officer of the Army.

ART. 3. Every officer who knowingly enlists or musters into the military service any minor over the age of sixteen years without the written consent of his parents or guardian, or any minor under the age of sixteen years, or any insane or intoxicated persons, or any deserter from the military or naval service of the United States, or any person who has been convicted of any infamous criminal offense, shall, upon conviction, be dismissed from the service, or suffer such other punishment as a court-martial may direct.

ART. 4. No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing, signed by a field officer of the regiment to which he belongs, or by the commanding officer, when no field officer is present; and no discharge shall be given to any enlisted man before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

ART. 5. Any officer who knowingly musters as a soldier a person who is not a soldier shall be deemed guilty of knowingly making a false muster, and punished accordingly.

ART. 6. Any officer who takes money, or other thing, by way of gratification, on mustering any regiment, troop, battery, or company, or on signing muster rolls, shall be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 7. Every officer commanding a regiment, an independent troop, battery, or company, or a garrison, shall, in the beginning of every month, transmit through the proper channels, to the Department of War, an exact return of the same, specifying the names of the officers then absent from their posts, with the

reasons for and the time of their absence. And any officer who, through neglect or design, omits to send such returns, shall, on conviction thereof, be punished as a court-martial may direct.

ART. 8. Every officer who knowingly makes a false return to the Department of War, or to any of his superior officers, authorized to call for such returns, of the state of the regiment, troop or company, or garrison under his command; or of the arms, ammunition, clothing or other stores thereunto belonging, shall, on conviction thereof before a court-martial, be cashiered.

ART. 9. All public stores taken from the enemy shall be secured for the service of the United States; and for neglect thereof the commanding officer shall be answerable.

ART. 10. Every officer commanding a troop, battery, or company, is charged with the arms, accouterments, ammunition, clothing, or other military stores belonging to his command, and is accountable to his colonel in case of their being lost, spoiled, or damaged otherwise than by unavoidable accident, or on actual service.

ART. 11. Every officer commanding a regiment or an independent troop, battery, or company, not in the field, may, when actually quartered with such command, grant furloughs to the enlisted men, in such numbers and for such time as he shall deem consistent with the good of the service. Every officer commanding a regiment, or an independent troop, battery, or company, in the field, may grant furloughs not exceeding thirty days at one time, to five per centum of the enlisted men, for good conduct in the line of duty, but subject to the approval of the commander of the forces of which said enlisted men form a part. Every company officer of a regiment, commanding any troop, battery, or company not in the field, or commanding in any garrison, fort, post, or barrack, may, in the absence of his field officer, grant furloughs to the enlisted men, for a time not exceeding twenty days in six months, and not to more than two persons to be absent at the same time.

ART. 12. At every muster of a regiment, troop, battery, or company, the commanding officer thereof shall give to the mustering officer certificates, signed by himself, stating how long absent officers have been absent and the reasons of their absence. And the commanding officer of every troop, battery, or company shall give like certificates, stating how long absent noncommissioned officers and private soldiers have been absent and the reasons of their absence. Such reasons and time of absence shall be inserted in the muster rolls opposite the names of the respective absent officers and soldiers, and the certificates, together with the muster rolls, shall be transmitted by the mustering officer to the Department of War, as speedily as the distance of the place and muster will admit.

ART. 13. Every soldier who signs a false certificate, relating to the absence or pay of an officer or soldier, shall be dismissed from the service.

ART. 14. Any officer who knowingly makes a false muster of man or horse, or who signs, or directs, or allows the signing of any muster roll, knowing the same to contain a false muster, shall, upon proof thereof by two witnesses, before a court-martial, be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 15. Any officer who, willfully or through neglect, suffers to be lost, spoiled, or damaged, any military stores belonging to the United States, shall make good the loss or damage, and be dismissed from the service.

ART. 16. Any enlisted man who sells, or willfully or through neglect wastes the ammunition delivered out to him, shall be punished as a court-martial may direct.

ART. 17. Any soldier who sells or through neglect loses or spoils his horse, arms, clothing, or accouterments shall be punished as a court-martial may

adjudge, subject to such limitation as may be prescribed by the President by virtue of the power vested in him. [Act of July 27, 1892, 27 Stat. L., 277.]

ART. 18. Any officer commanding in any garrison, fort, or barracks of the United States who, for his private advantage, lays any duty or imposition upon, or is interested in, the sale of any victuals, liquors, or other necessaries of life, brought into such garrison, fort, or barracks, for the use of the soldiers, shall be dismissed from the service.

ART. 19. Any officer who uses contemptuous or disrespectful words against the President, the Vice President, the Congress of the United States, or the chief magistrate or legislature of any of the United States in which he is quartered, shall be dismissed from the service, or otherwise punished, as a court-martial may direct. Any soldier who so offends shall be punished as a court-martial may direct.

ART. 20. Any officer or soldier who behaves himself with disrespect toward his commanding officer shall be punished as a court-martial may direct.

ART. 21. Any officer or soldier who, on any pretense whatsoever, strikes his superior officer, or draws or lifts up any weapon, or offers any violence against him, being in the execution of his office, or disobeys any lawful command of his superior officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 22. Any officer or soldier who begins, excites, causes, or joins in any mutiny or sedition, in any troop, battery, company, party, post, detachment, or guard, shall suffer death, or such other punishment as a court-martial may direct.

ART. 23. Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or having knowledge of any intended mutiny or sedition, does not, without delay, give information thereof to his commanding officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 24. All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, whether among persons belonging to his own or to another corps, regiment, troop, battery, or company, and to order officers into arrest, and noncommissioned officers and soldiers into confinement, who take part in the same, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or noncommissioned officer, or draws a weapon upon him, shall be punished as a court-martial may direct.

ART. 25. No officer or soldier shall use any reproachful or provoking speeches or gestures to another. Any officer who so offends shall be put in arrest. Any soldier who so offends shall be confined, and required to ask pardon of the party offended, in the presence of his commanding officer.

ART. 26. No officer or soldier shall send a challenge to another officer or soldier to fight a duel, or accept a challenge so sent. Any officer who so offends shall be dismissed from the service. Any soldier who so offends shall suffer such punishment as a court-martial may direct.

ART. 27. Any officer or noncommissioned officer, commanding a guard, who, knowingly and willingly, suffers any person to go forth to fight a duel, shall be punished as a challenger; and all seconds or promoters of duels, and carriers of challenges to fight duels, shall be deemed principals, and punished accordingly. It shall be the duty of any officer commanding an army, regiment, troop, battery, company, post, or detachment, who knows or has reason to believe that a challenge has been given or accepted by any officer or enlisted man under his command, immediately to arrest the offender and bring him to trial.

ART. 28. Any officer or soldier who upbraids another officer or soldier for refusing a challenge shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace or opinion of disadvantage which might arise from their having refused to accept challenges, as they will only have acted in obedience to the law, and have done their duty as good soldiers, who subject themselves to discipline.

ART. 29. Any officer who thinks himself wronged by the commanding officer of his regiment, and, upon due application to such commander, is refused redress, may complain to the general commanding in the State or Territory where such regiment is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

ART. 30. Any soldier who thinks himself wronged by any officer may complain to the commanding officer of his regiment, who shall summon a regimental court-martial for the doing of justice to the complainant. Either party may appeal from such regimental court-martial to a general court-martial; but if, upon such second hearing, the appeal appears to be groundless and vexatious, the party appealing shall be punished at the discretion of said general court-martial.

ART. 31. Any officer or soldier who lies out of his quarters, garrison, or camp, without leave from his superior officer, shall be punished as a court-martial may direct.

ART. 32. Any soldier who absents himself from his troop, battery, company, or detachment, without leave from his commanding officer, shall be punished as a court-martial may direct.

ART. 33. Any officer or soldier who fails, except when prevented by sickness or other necessity, to repair, at the fixed time, to the place of parade, exercise, or other rendezvous appointed by his commanding officer, or goes from the same, without leave from his commanding officer, before he is dismissed or relieved, shall be punished as a court-martial may direct.

ART. 34. Any soldier who is found one mile from camp, without leave in writing from his commanding officer, shall be punished as a court-martial may direct.

ART. 35. Any soldier who fails to retire to his quarters or tent at the beating of retreat, shall be punished according to the nature of his offense.

ART. 36. No soldier belonging to any regiment, troop, battery, or company shall hire another to do his duty for him, or be excused from duty, except in cases of sickness, disability, or leave of absence. Every such soldier found guilty of hiring his duty, and the person so hired to do another's duty, shall be punished as a court-martial may direct.

ART. 37. Every noncommissioned officer who connives at such hiring of duty shall be reduced. Every officer who knows and allows such practices shall be punished as a court-martial may direct.

ART. 38. Any officer who is found drunk on his guard, party, or other duty, shall be dismissed from the service. Any soldier who so offends shall suffer such punishment as a court-martial may direct. No court-martial shall sentence any soldier to be branded, marked, or tattooed.

ART. 39. Any sentinel who is found sleeping upon his post, or who leaves it before he is regularly relieved, shall suffer death, or such other punishment as a court-martial may direct.

ART. 40. Any officer or soldier who quits his guard, platoon, or division, without leave from his superior officer, except in case of urgent necessity, shall be punished as a court-martial may direct.

ART. 41. Any officer who, by any means whatsoever, occasions false alarms in camp, garrison, or quarters, shall suffer death, or such other punishment as a court-martial may direct.

ART. 42. Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons any fort, post, or guard, which he is commanded to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, shall suffer death, or such other punishment as a court-martial may direct.

ART. 43. If any commander of any garrison, fortress, or post is compelled, by the officers and soldiers under his command, to give up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death, or such other punishment as a court-martial may direct.

ART. 44. Any person belonging to the armies of the United States who makes known the watchword to any person not entitled to receive it, according to the rules and discipline of war, or presumes to give a parole or watchword different from that which he received, shall suffer death, or such other punishment as a court-martial may direct.

ART. 45. Whosoever relieves the enemy with money, victuals, or ammunition, or knowingly harbors or protects an enemy, shall suffer death, or such other punishment as a court-martial may direct.

ART. 46. Whosoever holds correspondence with, or gives intelligence to, the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial may direct.

ART. 47. Any officer or soldier who, having received pay, or having been duly enlisted in the service of the United States, deserts the same, shall, in time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 48. Every soldier who deserts the service of the United States shall be liable to serve for such period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall be tried by a court-martial and punished, although the term of his enlistment may have elapsed previous to his being apprehended and tried.

ART. 49. Any officer who, having tendered his resignation, quits his post or proper duties, without leave, and with intent to remain permanently absent therefrom, prior to due notice of the acceptance of the same, shall be deemed and punished as a deserter.

ART. 50. No noncommissioned officer or soldier shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company in which he last served, on a penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such noncommissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately confine him and give notice thereof to the corps in which he last served, the said officer shall, by court-martial, be cashiered.

ART. 51. Any officer or soldier who advises or persuades any other officer or soldier to desert the service of the United States, shall, in time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 52. It is earnestly recommended to all officers and soldiers diligently to attend divine service. Any officer who behaves indecently or irreverently at any place of divine worship shall be brought before a general court-martial, there to be publicly and severely reprimanded by the president thereof. Any soldier who so offends shall, for his first offense, forfeit one-sixth of a dollar;

for each further offense he shall forfeit a like sum, and shall be confined twenty-four hours. The money so forfeited shall be deducted from his next pay, and shall be applied, by the captain or senior officer of his troop, battery, or company, to the use of the sick soldiers of the same.

ART. 53. Any officer who uses any profane oath or execration shall, for each offense, forfeit and pay one dollar. Any soldier who so offends shall incur the penalties provided in the preceding article; and all moneys forfeited for such offenses shall be applied as therein provided.

ART. 54. Every officer commanding in quarters, garrison, or on the march, shall keep good order, and, to the utmost of his power, redress all abuses or disorders which may be committed by any officer or soldier under his command; and if, upon complaint made to him of officers or soldiers beating or otherwise illtreating any person, disturbing fairs or markets, or committing any kind of riot, to the disquieting of the citizens of the United States, he refuses or omits to see justice done to the offender, and reparation made to the party injured, so far as part of the offender's pay shall go toward such reparation, he shall be dismissed from the service, or otherwise punished, as a court-martial may direct.

ART. 55. All officers and soldiers are to behave themselves orderly in quarters and on the march; and whoever commits any waste or spoil, either in walks or trees, parks, warrens, fish ponds, houses, gardens, grain fields, inclosures, or meadows, or maliciously destroys any property whatsoever belonging to inhabitants of the United States (unless by order of a general officer commanding a separate army in the field), shall, besides such penalties as he may be liable to by law, be punished as a court-martial may direct.

ART. 56. Any officer or soldier who does violence to any person bringing provisions or other necessaries to the camp, garrison, or quarters of the forces of the United States in foreign parts, shall suffer death, or such other punishment as a court-martial may direct.

ART. 57. Whosoever, belonging to the armies of the United States in foreign parts, or at any place within the United States or their Territories during rebellion against the supreme authority of the United States, forces a safeguard, shall suffer death.

ART. 58. In time of war, insurrection, or rebellion, larceny, robbery, burglary, arson, mayhem, manslaughter, murder, assault and battery with an intent to kill, wounding, by shooting or stabbing, with an intent to commit murder, rape, or assault and battery with an intent to commit rape, shall be punishable by the sentence of a general court-martial, when committed by persons in the military service of the United States, and the punishment in any such case shall not be less than the punishment provided, for the like offense, by the laws of the State, Territory, or District in which such offense may have been committed.

ART. 59. When any officer or soldier is accused of a capital crime, or of any offense against the person or property of any citizen of any of the United States, which is punishable by the laws of the land, the commanding officer, and the officers of the regiment, troop, battery, company, or detachment, to which the person so accused belongs, are required, except in time of war, upon application duly made by or in behalf of the party injured, to use their utmost endeavors to deliver him over to the civil magistrate, and to aid the officers of justice in apprehending and securing him, in order to bring him to trial. If, upon such application, any officer refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil magistrates, or to aid the officers of justice in apprehending him, he shall be dismissed from the service.

ART. 60. Any person in the military service of the United States who makes or causes to be made any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures or advises the making or use of, any writing, or other paper, knowing the same to contain any false or fraudulent statement; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes, or procures or advises the making of, any oath to any fact or to any writing or other paper, knowing such oath to be false; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures or advises the forging or counterfeiting of, any signature upon any writing or other paper, or uses, or procures or advises the use of, any such signature, knowing the same to be forged or counterfeited; or

Who, having charge, possession, custody or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any persons having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States, furnished or intended for the military service thereof, makes, or delivers to any person, such writing, without having full knowledge of the truth of the statements therein contained, and with intent to defraud the United States; or

Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or intended for the military service thereof; or

Who knowingly purchases, or receives in pledge for any obligation or indebtedness, from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipments, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same,

Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid, while in the military service of the United States, receives his discharge, or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial, in the same manner and to the same extent as if he had not received such discharge nor been dismissed. [Act of March 2, 1901, 31 Stat. L., 950.]

ART. 61. Any officer who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

ART. 62. All crimes not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general, or a regimental, garrison, or field officers' court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.[1]

ART. 63. All retainers to the camp, and all persons serving with the armies of the United States in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

ART. 64. The officers and soldiers of any troops, whether militia or others, mustered and in pay of the United States, shall, at all times and in all places, be governed by the Articles of War, and shall be subject to be tried by courts-martial.

ART. 65. Officers charged with crime shall be arrested and confined in their barracks, quarters, or tents, and deprived of their swords by the commanding officer. And any officer who leaves his confinement before he is set at liberty by his commanding officer shall be dismissed from the service.

ART. 66. Soldiers charged with crimes shall be confined until tried by court-martial, or released by proper authority.

ART. 67. No provost marshal, or officer commanding a guard, shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime charged against the prisoner.

ART. 68. Every officer to whose charge a prisoner is committed shall, within twenty-four hours after such commitment, or as soon as he is relieved from his guard, report in writing, to the commanding officer, the name of such prisoner, the crime charged against him, and the name of the officer committing him; and if he fails to make such report, he shall be punished as a court-martial may direct.

ART. 69. Any officer who presumes, without proper authority, to release any prisoner committed to his charge, or suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

ART. 70. No officer or soldier put in arrest shall be continued in confinement more than eight days, or until such time as a court-martial can be assembled.

ART. 71. When an officer is put in arrest for the purpose of trial, except at remote military posts or stations, the officer by whose order he is arrested shall see that a copy of the charges on which he is to be tried is served upon him within eight days after his arrest, and that he is brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of said ten days. If a copy of the charges be not served, or the arrested officer be not brought to trial, as herein required, the arrest shall cease. But officers released from arrest, under the provisions of this article, may be tried, whenever the exigencies of the service shall permit, within twelve months after such release from arrest.

ART. 72. Any general officer commanding an army, a territorial division or a department, or colonel commanding a separate department may appoint general courts-martial whenever necessary. But when any such commander is the accuser or prosecutor of any officer under his command the court shall be

[1] SEC. 3. That fraudulent enlistment, and the receipt of any pay or allowance thereunder, is hereby declared a military offense and made punishable by court-martial, under the sixty-second article of war. [Act approved July 27, 1892, 27 Stat. L., 277.]

appointed by the President; and its proceedings and sentence shall be sent directly to the Secretary of War, by whom they shall be laid before the President, for his approval or orders in the case. [Act of July 5, 1884, 23 Stat. L., 121.]

ART. 73. In time of war the commander of a division, or of a separate brigade of troops, shall be competent to appoint a general court-martial. But when such commander is the accuser or prosecutor of any person under his command, the court shall be appointed by the next higher commander.

ART. 74. Officers who may appoint a court-martial shall be competent to appoint a judge advocate for the same.

ART. 75. General courts-martial may consist of any number of officers from five to thirteen, inclusive; but they shall not consist of less than thirteen when that number can be convened without manifest injury to the service.

ART. 76. When the requisite number of officers to form a general court-martial is not present in any post or detachment, the commanding officer shall, in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall, thereupon, order a court to be assembled at the nearest post or department at which there may be such a requisite number of officers, and shall order the party accused, with necessary witnesses, to be transported to the place where the said court shall be assembled.

ART. 77. Officers of the Regular Army shall not be competent to sit on courts-martial to try the officers or soldiers of other forces, except as provided in article seventy-eight.

ART. 78. Officers of the Marine Corps, detached for service with the Army by order of the President, may be associated with officers of the Regular Army on courts-martial for the trial of offenders belonging to the Regular Army, or to forces of the Marine Corps so detached; and in such cases the orders of the senior officer of either corps, who may be present and duly authorized, shall be obeyed.

ART. 79. Officers shall be tried only by general courts-martial; and no officer shall, when it can be avoided, be tried by officers inferior to him in rank.

ART. 80.[1] The commanding officer of each garrison, fort, or other place, regiment or corps, detached battalion, or company, or other detachment in the Army, shall have power to appoint for such place or command, or in his discretion for each battalion thereof, a summary court to consist of one officer to be designated by him, before whom enlisted men who are to be tried for offenses, such as were prior to the passage of the act "to promote the administration of justice in the Army," approved October first, eighteen hundred and ninety, cognizable by garrison or regimental courts-martial, and offenses cognizable by field officers detailed to try offenders under the provisions of the eightieth and one hundred and tenth articles of war, shall be brought to trial within twenty-four hours of the time of the arrest, or as soon thereafter as practicable, except when the accused is to be tried by general court-martial; but such summary court may be appointed and the officer designated by superior authority when by him deemed desirable; and the officer holding the summary court shall have power to administer oaths and to hear and determine such cases, and when satisfied of the guilt of the accused adjudge the punishment to be inflicted, which said punishment shall not exceed confinement at hard labor for one month and forfeiture of one month's pay, and, in the case of a noncommissioned officer, reduction to the ranks in addition thereto; that there shall be a summary court record kept at each military post and in the field at the headquarters of the proper

[1] Article 80 was repealed by the act of June 18, 1898 (30 Stat. L., 483).

command, in which shall be entered a record of all cases heard and determined and the action had thereon; and no sentence adjudged by said summary court shall be executed until it shall have been approved by the officer appointing the court, or by the officer commanding for the time being: *Provided*, That when but one commissioned officer is present with a command he shall hear and finally determine such cases: *And provided further*, That no one while holding the privileges of a certificate of eligibility to promotion shall be brought before a summary court, and that noncommissioned officers shall not, if they object thereto, be brought to trial before summary courts without the authority of the officer competent to order their trial by general court-martial, but shall in such cases be brought to trial before garrison, regimental, or general courts-martial, as the case may be. [Act of June 18, 1898, 30 Stat. L., 483.]

ART. 81. Every officer commanding a regiment or corps shall, subject to the provisions of article eighty, be competent to appoint, for his own regiment or corps, courts-martial, consisting of three officers, to try offenses not capital.

ART. 82. Every officer commanding a garrison, fort, or other place, where the troops consist of different corps, shall, subject to the provisions of article eighty be competent to appoint, for such garrison or other place, courts-martial, consisting of three officers, to try offenses not capital.

ART. 83. Regimental and garrison courts-martial and summary courts detailed under existing laws to try enlisted men shall not have power to try capital cases or commissioned officers, but shall have power to award punishment not to exceed confinement at hard labor for three months or forfeiture of three months' pay, or both, and in addition thereto, in the case of noncommissioned officers reduction to the ranks and in the case of first-class privates reduction to second-class privates: *Provided*, That a summary court shall not adjudge confinement and forfeiture in excess of a period of one month, unless the accused shall before trial consent in writing to trial by said court, but in any case of refusal to so consent, the trial may be had either by general, regimental, or garrison court-martial, or by said summary court, but in case of trial by said summary court without consent as aforesaid, the court shall not adjudge confinement or forfeiture of pay for more than one month. [Act of March 2, 1901, 31 Stat. L., 950.]

ART. 84. The judge advocate shall administer to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of regimental and garrison courts-martial: "You, A B, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority, except to the judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God." [Act of July 27, 1892, 27 Stat. L., 277.]

ART. 85. When the oath has been administered to the members of a court-martial, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following form: "You, A B, do swear that you will not disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a

witness, by a court of justice, in due course of law; nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. So help you God."

ART. 86. A court-martial may punish, at discretion, any person who uses any menacing words, signs, or gestures, in its presence, or who disturbs its proceedings by any riot or disorder.

ART. 87. All members of a court-martial are to behave with decency and calmness.

ART. 88. Members of a court-martial may be challenged by a prisoner, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

ART. 89. When a prisoner, arraigned before a general court-martial, from obstinacy and deliberate design, stands mute, or answers foreign to the purpose, the court may proceed to trial and judgment, as if the prisoner had pleaded not guilty.

ART. 90. The judge advocate, or some person deputed by him, or by the general or officer commanding the Army, detachment, or garrison, shall prosecute in the name of the United States, but when the prisoner has made his plea, he shall so far consider himself counsel for the prisoner as to object to any leading question to any of the witnesses, and to any question to the prisoner, the answer to which might tend to criminate himself.

ART. 91. The depositions of witnesses residing beyond the limits of the State, Territory, or District in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.[1]

ART. 92. All persons who give evidence before a court-martial shall be examined on oath, or affirmation, in the following form: "You swear (or affirm) that the evidence you shall give, in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you God."

ART. 93. A court-martial shall, for reasonable cause, grant a continuance to either party, for such time, and as often, as may appear to be just: *Provided*, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

ART. 95[2]. Members of a court-martial, in giving their votes, shall begin with the youngest in commission.

ART. 96. No person shall be sentenced to suffer death, except by the concurrence of two-thirds of the members of a general court-martial, and in the cases herein expressly mentioned.

ART. 97. No person in the military service shall, under the sentence of a court-martial, be punished by confinement in a penitentiary, unless the offense of which he may be convicted would, by some statute of the United States, or by some statute of the State, Territory, or District in which such offense may be committed, or by the common law, as the same exists in such State, Territory, or District, subject such convict to such punishment.

ART. 98. No person in the military service shall be punished by flogging, or by branding, marking, or tattooing on the body.

ART. 99. No officer shall be discharged or dismissed from the service, except by order of the President, or by sentence of a general court-martial; and in

[1] SEC. 4. That judge advocates of departments and of courts-martial, and the trial officers of summary courts, are hereby authorized to administer oaths for the purposes of the administration of military justice, and for other purposes of military administration. [Act of July 27, 1892, 27 Stat. L., 277.]

[2] Article 94 was repealed by the act of March 2, 1901 (31 Stat. L., 950).

time of peace no officer shall be dismissed, except in pursuance of the sentence of a court-martial, or in mitigation thereof.

ART. 100. When an officer is dismissed from the service for cowardice or fraud, the sentence shall further direct that the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp, and in the State from which the offender came, or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

ART. 101. When a court-martial suspends an officer from command, it may also suspend his pay and emoluments for the same time, according to the nature of his offense.

ART. 102. No person shall be tried a second time for the same offense.

ART. 103. No person shall be liable to be tried and punished by a general court-martial for any offense which appears to have been committed more than two years before the issuing of the order for such trial, unless, by reason of having absented himself, or of some other manifest impediment, he shall not have been amenable to justice within that period.

No person shall be tried or punished by a court-martial for desertion in time of peace and not in the face of an enemy, committed more than two years before the arraignment of such person for such offense, unless he shall meanwhile have absented himself from the United States, in which case the time of his absence shall be excluded in computing the period of the limitation: *Provided*, That said limitation shall not begin until the end of the term for which said person was mustered into the service. [Act of April 11, 1890, 26 Stat. L., 54.]

ART. 104. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer ordering the court, or by the officer commanding for the time being. [Act of July 27, 1892, 27 Stat. L., 277.]

ART. 105. No sentence of a court-martial, inflicting the punishment of death, shall be carried into execution until it shall have been confirmed by the President; except in the cases of persons convicted, in time of war, as spies, mutineers, deserters, or murderers, and in the cases of guerrilla marauders, convicted, in time of war, of robbery, burglary, arson, rape, assault with intent to commit rape, or of violation of the laws and customs of war; and in such excepted cases the sentence of death may be carried into execution upon confirmation by the commanding general in the field, or the commander of the department, as the case may be.

ART. 106. In time of peace no sentence of a court-martial, directing the dismissal of an officer, shall be carried into execution, until it shall have been confirmed by the President.

ART. 107. No sentence of a court-martial appointed by the commander of a division or of a separate brigade of troops, directing the dismissal of an officer, shall be carried into execution until it shall have been confirmed by the general commanding the army in the field to which the division or brigade belongs.

ART. 108. No sentence of a court-martial, either in time of peace or in time of war, respecting a general officer, shall be carried into execution, until it shall have been confirmed by the President.

ART. 109. All sentences of a court-martial may be confirmed and carried into execution by the officer ordering the court, or by the officer commanding for the time being, where confirmation by the President, or by the commanding general in the field, or commander of the department, is not required by these articles.

ART. 111.[1] Any officer who has authority to carry into execution the sentence of death, or of dismissal of an officer, may suspend the same until the pleasure

[1] Article 110 was repealed by the act of June 18, 1898 (30 Stat. L., 483).

of the President shall be known; and, in such case, he shall immediately transmit to the President a copy of the order of suspension, together with a copy of the proceedings of the court.

ART. 112. Every officer who is authorized to order a general court-martial shall have power to pardon or mitigate any punishment adjudged by it, except the punishment of death or of dismissal of an officer. Every officer commanding a regiment or garrison in which a regimental or garrison court-martial may be held, shall have power to pardon or mitigate any punishment which such court may adjudge.

ART. 113. Every judge advocate, or person acting as such, at any general court-martial, shall, with as much expedition as the opportunity of time and distance of place may admit, forward the original proceedings and sentence of such court to the Judge Advocate General of the Army, in whose office they shall be carefully preserved.

ART. 114. Every party tried by a general court-martial shall, upon demand thereof, made by himself or by any person in his behalf, be entitled to a copy of the proceedings and sentence of such court.

ART. 115. A court of inquiry, to examine into the nature of any transaction of, or accusation or imputation against, any officer or soldier, may be ordered by the President or by any commanding officer; but, as courts of inquiry may be perverted to dishonorable purposes, and may be employed, in the hands of weak and envious commandants, as engines for the destruction of military merit, they shall never be ordered by any commanding officer, except upon a demand by the officer or soldier whose conduct is to be inquired of.

ART. 116. A court of inquiry shall consist of one or more officers, not exceeding three, and a recorder, to reduce the proceedings and evidence to writing.

ART. 117. The recorder of a court of inquiry shall administer to the members the following oath: "You shall well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward: so help you God." After which the president of the court shall administer to the recorder the following oath: "You, A B, do swear that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing: so help you God."

ART. 118. A court of inquiry, and the recorder thereof, shall have the same power to summon and examine witnesses as is given to courts-martial and the judge advocates thereof. Such witnesses shall take the same oath which is taken by witnesses before courts-martial, and the party accused shall be permitted to examine and cross-examine them, so as fully to investigate the circumstances in question.

ART. 119. A court of inquiry shall not give an opinion on the merits of the case inquired of unless specially ordered to do so.

ART. 120. The proceedings of a court of inquiry must be authenticated by the signatures of the recorder and the president thereof, and delivered to the commanding officer.

ART. 121. The proceedings of a court of inquiry may be admitted as evidence by a court-martial, in cases not capital, nor extending to the dismissal of an officer: *Provided*, That the circumstances are such that oral testimony can not be obtained.

ART. 122. If, upon marches, guards, or in quarters, different corps of the Army happen to join or do duty together, the officer highest in rank of the line of the Army, Marine Corps, organized militia, or volunteers, by commission, there on duty or in quarters, shall command the whole, and give orders for what is need-

ful in the service, unless otherwise specially directed by the President, according to the nature of the case.

ART. 124[1]. Officers of the organized militia of the several States, when called into the service of the United States, shall on all detachments, courts-martial, and other duty, wherein they may be employed in conjunction with the regular or volunteer forces of the United States, take rank next after all officers of the like grade in said regular forces, and shall take precedence of all officers of volunteers of equal or inferior rank, notwithstanding the commissions of such militia officers may be older than the commissions of the said officers of the regular forces of the United States.

ART. 125. In case of the death of any officer, the major of his regiment, or the officer doing the major's duty, or the second officer in command at any post or garrison, as the case may be, shall immediately secure all his effects then in camp or quarters, and shall make, and transmit to the office of the Department of War, an inventory thereof.

ART. 126. In case of the death of any soldier, the commanding officer of his troop, battery, or company shall immediately secure all his effects then in camp or quarters, and shall, in the presence of two other officers, make an inventory thereof, which he shall transmit to the office of the Department of War.

ART. 127. Officers charged with the care of the effects of deceased officers or soldiers shall account for and deliver the same, or the proceeds thereof, to the legal representatives of such deceased officers or soldiers. And no officer so charged shall be permitted to quit the regiment or post until he has deposited in the hands of the commanding officer all the effects of such deceased officers or soldiers not so accounted for and delivered.

ART. 128. The foregoing articles shall be read and published, once in every six months, to every garrison, regiment, troop, or company in the service of the United States, and shall be duly observed and obeyed by all officers and soldiers in said service.

SEC. 1343, Revised Statutes. All persons who, in time of war, or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial, or by a military commission, and shall, on conviction thereof, suffer death.

WRITS OF ATTACHMENT.

Every judge advocate of a court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the State, Territory, or District where such military courts shall be ordered to sit, may lawfully issue. [Section 1202, Revised Statutes.]

REFUSAL OF CIVILIAN WITNESS TO TESTIFY.

Every person not belonging to the Army of the United States who, being duly subpœnaed to appear as a witness before a general court-martial of the Army, willfully neglects or refuses to appear, or refuses to qualify as a witness or to testify or produce documentary evidence which such person may have been legally subpœnaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States; and it shall be the duty of the United States district attorney,

[1] Article 123 was repealed by act of Congress approved March 8, 1910.

on the certification of the facts to him by the general court-martial, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than five hundred dollars or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That this shall not apply to persons residing beyond the State, Territory, or District in which such general court-martial is held, and that the fees of such witness, and his mileage at the rates provided for witnesses in the United States district court for said State, Territory, or District shall be duly paid or tendered said witness, such amounts to be paid by the Pay Department of the Army out of the appropriation for compensation of witnesses: *Provided*, That no witness shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him. [Act of March 2, 1901, 31 Stat. L., 950.]

MEMORANDUM.

Statement showing new numbers of old paragraphs of Army Regulations.

Old number of paragraph.	New number of paragraph.
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Memorandum—Continued.

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450	455.	531	537.	612	619.
451	456.	532	538.	613	620.
452	457.	533	539.	614	621.
453	458.	534	540.	615	622.
454	459.	535	541.	616	623.
455	460.	536	542.	617	624.
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457	462.	538	544.	619	626.
458	463.	539	545.	620	627.
459	464.	540	546.	621	628.
460	465.	541	547.	622	629.
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462	467.	543	549.	624	631.
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467	472.	548	554.	629	636.
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470	475.	551	557.	632	639.
471	476.	552	558.	633	640.
472	477.	553	559.	634	641.
472½	478.	554	560.	635	642.
473	479.	555	561.	636	643.
474	480.	556	562.	637	644.
475	481.	557	563.	638	645.
476	482.	558	564.	639	646.
477	483.	559	565.	640	647.
478	484.	560	566.	641	648.
479	485.	561	567.	642	649.
480	486.	562	568.	643	650.
481	487.	563	569.	644	651.
482	488.	564	570.	645	652.
483	489.	565	571.	646	653.
484	490.	566	572.	647	654.
485	491.	567	573.	648	655.
486	492.	568	574.	649	656.
487	493.	569	575.	650	657.
488	494.	570	576.	651	658.
489	495.	571	577.	652	659.
490	496.	572	578.	653	660.
491	497.	573	579.	654	661.
492	498.	574	580.	655	662.
493	499.	575	581.	656	663.
494	500.	576	582.	657	664.
495	501.	577	583.	658	665.
496	502.	578	584.	659	666.
497	503.	579	585.	660	667.
498	504.	580	586.	661	668.
499	505.	581	587.	662	669.
500	506.	582	588.	663	670.
501	507.	583	589.	664	671.
502	508.	584	590.	665	672.
503	509.	585	591.	666	673.
504	510.	586	592.	667	674.
505	511.	587	593.	668	675.
506	512.	588	594.	669	676.
507	513.	589	595.	670	677.
508	514.	590	596.	671	678.
509	515.	591	597.	672	679.
510	516.	592	598.	673	680.
511	517.	592½	599.	674	681.
512	518.	593	600.	675	682.
513	519.	594	601.	676	683.
514	520.	595	602.	677	684.
515	521.	596	603.	678	685.
516	522.	597	604.	679	686.
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518	524.	599	606.	681	688.
519	525.	600	607.	682	689.
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525	531.	606	613.	688	695.
526	532.	607	614.	689	696.
527	533.	608	615.	690	697.
528	534.	609	616.	691	698.
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765	773.
766	774.
767	775.
768	776.
769	777.
770	778.
771	779.
772	780.
773	781.
774	782.
775	783.
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777	785.
778	786.
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824	Rescinded.
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843	850.
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992	999.
993	1000.
994	1001.
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997	1004.
998	1005.
999	1006.
1000	1007.
1001	1008.
1002	1009.
1003	1010.
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1005	1012.
1006	1013.
1007	1014.
1008	1015.
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1053½	1061.
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1103	1111.
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1105	Rescinded.
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1170	1177.
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1185	1192.	1267	1271.	1349	1352.
1186	1193.	1268	1272.	1350	1353.
1187	1194.	1269	1273.	1351	1354.
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1189	1196.	1271	1275.	1353	1356.
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1191	1198.	1273	1277.	1355	1358.
1192	1199.	1274	1278.	1356	1359.
1193	1200.	1275	1279.	1357	1360.
1194	1201.	1276	1280.	1358	1361.
1195	1202.	1277	1281.	1359	1362.
1196	1203.	1278	1282.	1360	1363.
1197	1204.	1279	1283.	1361	1364.
1198	1205.	1280	1284.	1362	1365.
1199	1206.	1281	1285.	1363	1366.
1200	1207.	1282	1286.	1363½	Rescinded.
1201	1208.	1283	1287.	1364	1367.
1202	1209.	1284	1288.	1365	1368.
1203	1210.	1285	1289.	1365½	1369.
1204	1211.	1286	1290.	1366	1370.
1205	1212.	1287	1291.	1367	1371.
1206	1213.	1288	1292.	1368	1372.
1207	1214.	1289	1293.	1369	1373.
1208	1215.	1290	1294.	1370	1374.
1209	Rescinded.	1291	1295.	1371	1375.
1210	1216.	1292	1296.	1372	1376.
1211	1217.	1293	1297.	1373	1377.
1212	1218.	1294	Rescinded.	1374	1378.
1213	1219.	1295	1298.	1375	1379.
1214	1220.	1296	1299.	1376	1380.
1215	1221.	1297	1300.	1377	1381.
1216	1222.	1298	1301.	1378	1382.
1217	1223.	1299	1302.	1379	1383.
1218	1224.	1300	1303.	1380	1384.
1219	1225.	1301	1304.	1381	1385.
1220	1226.	1302	1305.	1382	1386.
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1222	Rescinded.	1304	1307.	1384	1388.
1223	1228.	1305	1308.	1385	1389.
1224	1229.	1306	1309.	1386	1390.
1225	1230.	1307	1310.	1387	1391.
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1227	1232.	1309	1312.	1389	Rescinded.
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1243	1247.	1325	1328.	1404½	1408.
1244	1248.	1326	1329.	1405	1409.
1245	1249.	1327	1330.	1406	1410.
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1249	1253.	1331	1334.	1410	1414.
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1251	1255.	1333	1336.	1412	1416.
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1431	1435.	1485	1490.	1540	1545.
1432	1436.	1486	1491.	1541	1546.
1433	1437.	1487	1492.	1542	1547.
1434	1438.	1488	1493.	1543	1548.
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1436	1440.	1490	1495.	1545	1550.
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1447	1451.	1501	1506.	1556	1561.
1448	1452.	1502	1507.	1557	1562.
1449	1453.	1503	1508.	1558	1563.
1450	1454.	1504	1509.	1559	1564.
1451	1455.	1505	1510.	1560	Rescinded.
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1457	1461.	1511	1516.	1566	1570.
1458	1462.	1512	1517.	1567	1571.
1459	1463.	1513	1518.	1568	1572.
1460	1464.	1514	1519.	1569	1573.
1461	1465.	1515	1520.	1570	1574.
1462	1466.	1516	1521.	1571	1575.
1463	1467.	1517	1522.	1572	1576.
1464	1468.	1518	1523.	1573	1577.
1465	1469.	1519	1524.	1574	1578.
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1471	1475.	1525	1530.	1580	1584.
1472	1476.	1526	1531.	1581	1585.
1473	1477.	1527	1532.	1582	1586.
1474	1478.	1528	1533.	1583	1587.
1475	1479.	1529	1534.	1584	1588.
1476	1480.	1530	1535.	1585	1589.
1477	1481.	1531	1536.	1586	1590.
1478	1482.	1532	1537.	1587	1591.
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